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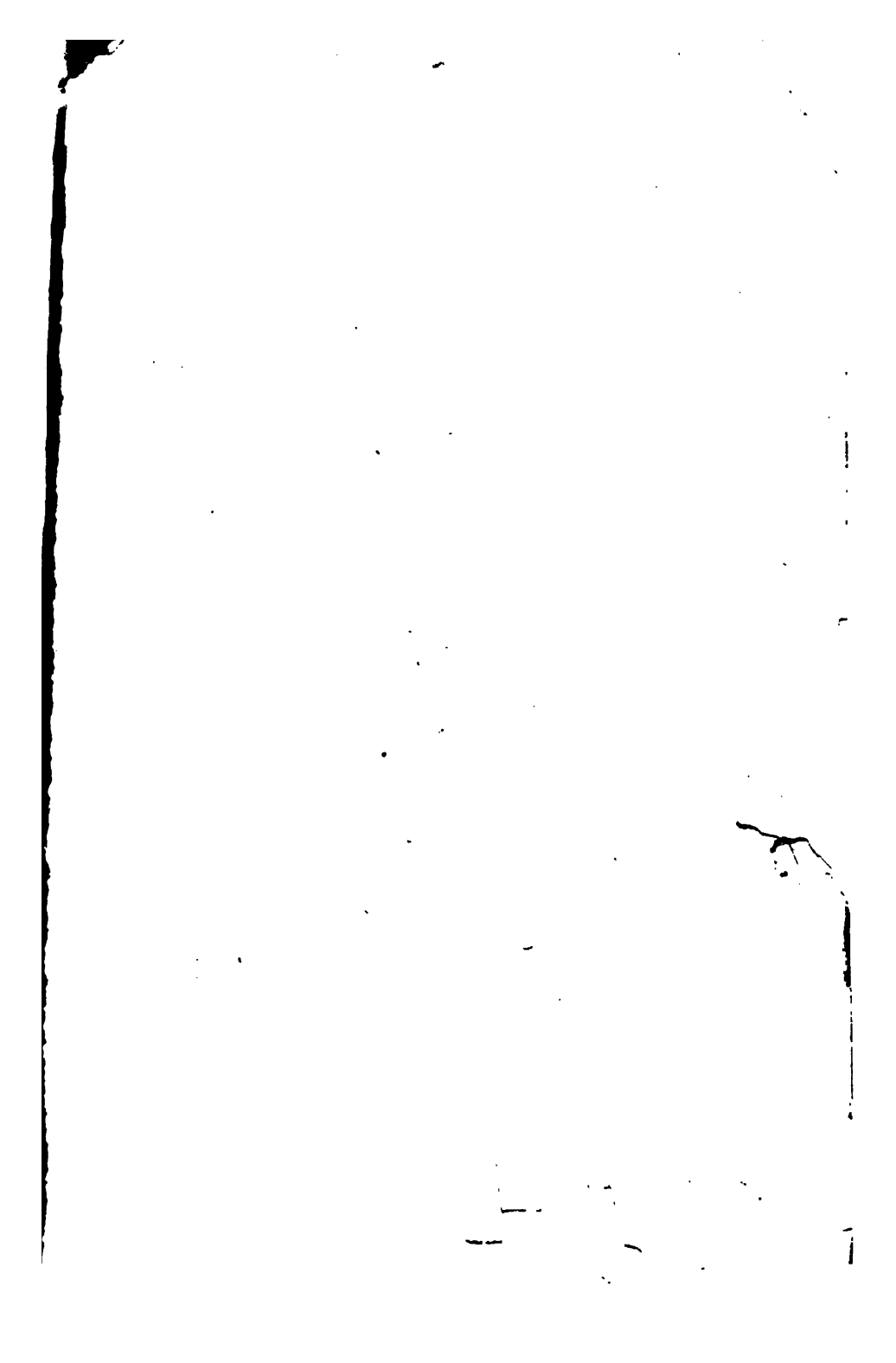
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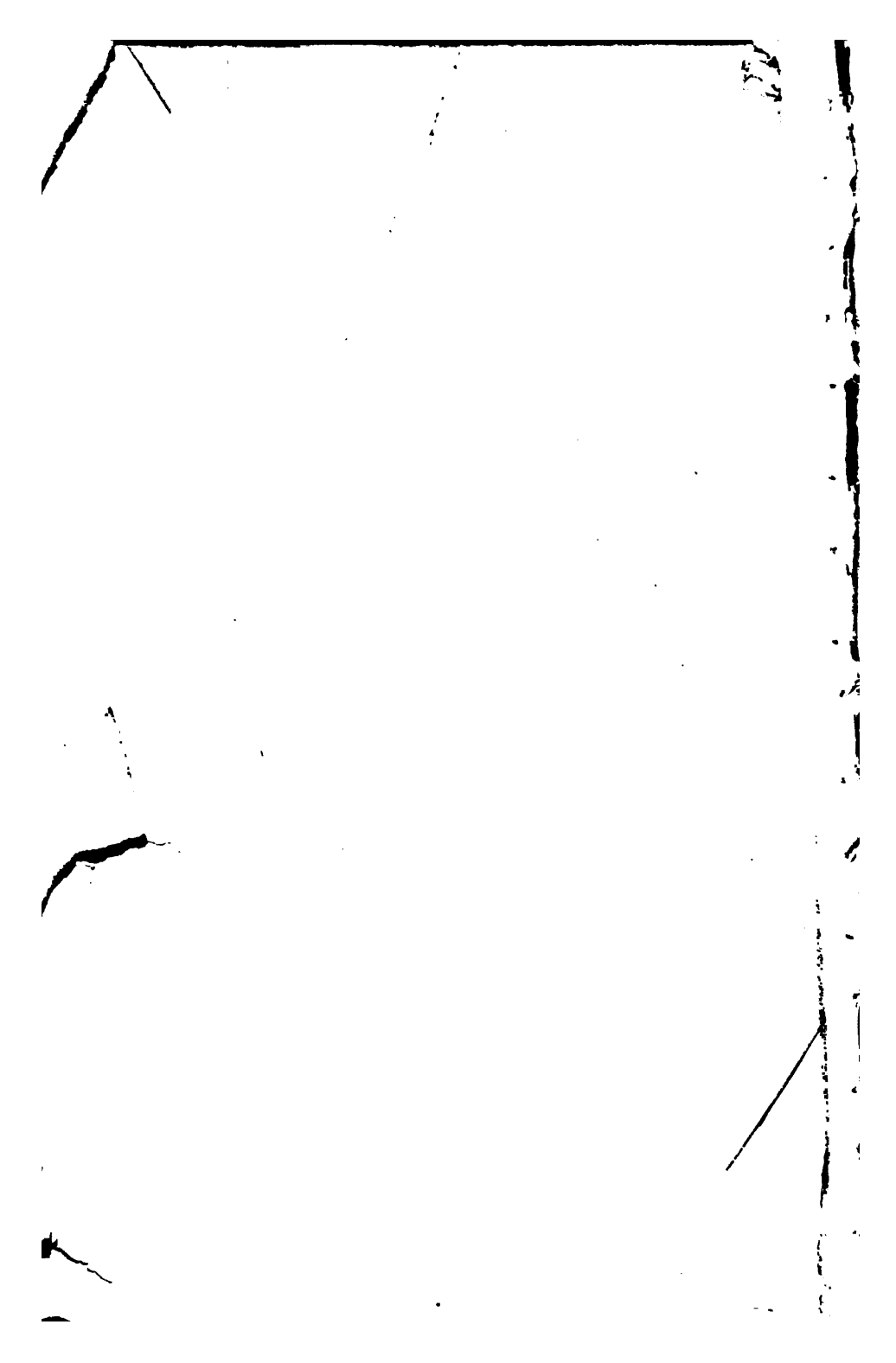
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George Bancroft







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THE
H I S T O R Y
OF THE LIFE OF
KING HENRY THE SECOND,
AND OF THE AGE IN WHICH HE LIVED,
IN FIVE BOOKS:

TO WHICH IS PREFIXED,
A History of the Revolutions of England
From the Death of EDWARD the Confessor
To the Birth of HENRY the Second:
BY GEORGE LORD LYTTTELTON.
A NEW EDITION, CORRECTED.
VOLUME THE FOURTH.



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Jonathan Lewis
 THE
 HISTORY
 OF THE
 LIFE
 OF
 King HENRY the Second.

B O O K III.

THERE is a passage, well deserving the BOOK III.
 attention of those who read this book, V. Appendix.
 in a late famous remonstrance of the
 parliament of Paris; where, complaining of the
 abuses of the ecclesiastical power in the king-
 dom of France, they say to their king, “ that
 “ the clergy of that realm are now busily using
 “ their utmost endeavours to support and con-
 “ firm a system of independence, the founda-
 “ tions of which have been laid near a thou-
 “ sand years ago; the principles of which have
 “ been connected, developed, and followed,
 “ from age to age, in the conduct of several
 “ ministers of the church; and the inevitable
 “ effects of which, if not stopt by the vigilance
 Vol. IV. B “ and

BOOK III. “and firmness of the magistrates, would be
 “the most enormous abuse of the royal authority, as well as of religion; the destruction
 “of good order and public tranquillity, of all
 “the regular jurisdictions, of the laws, of the
 “king’s sovereignty itself; and, by consequence, of the whole state.”

These are the words of that very respectable body: and whoever reflects upon them will have good reason to think, that, where the popish religion remains established, the principles of Becket will also remain; and, notwithstanding the apparent absurdity of them, will perpetually disturb, and sometimes overpower, the civil authority, even in countries the most enlightened by learning and philosophy, or affecting the greatest latitude and freedom of thought. How great is therefore the happiness this nation enjoys in the reformation of religion; by which those principles, so repugnant to true Christianity, have been rooted out from our church; and which alone can secure us from a return of those evils, the malignity whereof will be shewn, in its utmost extent, by examples more convincing than any arguments on the subject, in that very instructive part of the history of this kingdom which I am about to relate!

A.D. 1163. The reader has seen what large advances the clergy of England, abetted and supported by the power of the papacy then almost at its height, had made, in Stephen’s reign, towards
 a total

a total independence upon all civil government. BOOK III.
A. D. 1163.

The pernicious consequences of this were felt by his successor; and though the insolence of the hierarchy was in some measure awed under the reign of this prince, yet he had been hitherto obliged to tolerate many abuses, which the name of religion had sanctified, and which could not be reformed without the aid and concurrence of more favorable circumstances than had offered themselves to him before this time. The worst of these was the exemption from all secular justice, which was claimed as a fundamental and inviolable part of the liberty of the church. “The bishops (says one of the best Gul. Neubri-
genf. p. 394. contemporary historians) being much more intent on maintaining the privileges or dignities of their clergy, than correcting their vices, imagine that they do their duty to God and the church, by protecting those criminals against civil discipline, whom they refuse or neglect to restrain, as the duty of their office requires, by a proper severity of canonical censures.” He adds, that, “for this reason, the clergy, having a licence to do what they would with certain impunity, were in no awe of God, or man.” It is remarkable that this testimony is given by a churchman. And, indeed, the whole publick was now become as sensible as Henry himself, how monstrous a thing it was, that one part of his subjects should thus be suffered to withdraw themselves from his justice, and, wherever they were concerned, to put the others also out of

BOOK III. his royal protection. The necessity of correcting the notorious iniquities and relaxation of discipline in the spiritual courts, as well as of stopping their encroachments in point of jurisdiction, was, likewise, generally acknowledged. Another evil, which began to be grievously felt, and which many of the clergy themselves desired that the crown should restrain, was the frequent practice of appeals to Rome in ecclesiastical causes. This was attended with great vexation and expence to the suitors: the exportation of its treasure was a loss to the nation; but it suffered much more by the admission of a foreign jurisdiction over the subjects of England, which violated the dignity and freedom of the state. The voice of the people calling loudly for a redress of these grievances, the royal authority being settled upon the firmest foundations, the Roman pontificate being weakened by a schism, and the pope whom Henry had acknowledged owing more to his friendship than to that of any other monarch; the time appeared very favorable for this great undertaking, which, if the king had succeeded in it, would have compleated his glory, as the *deliverer* and *restorer* of England. But he met with an obstacle, which broke all his measures, and put him under many difficulties, that he had not foreseen. The confident and the partner of his most secret counsels, the man whom he loved and trusted above all others, that very Becket whom he had made archbishop of Canterbury chiefly with a view of being assisted

assisted by him in this design, set himself to ^{BOOK III.} oppose it with invincible obstinacy, and seemed ^{A. D. 1163.} all at once to be possessed by the spirit of Gregory the Seventh.

No change was ever so sudden and violent, as that which appeared in the new prelate immediately upon his election. He affected to be now entirely given up to his spiritual duties; to the reading of the scriptures, to prayers, and to preaching. Whenever he received the communion in publick, he shed abundance of tears; he sighed; he groaned; *pouring forth his whole soul* (says a writer of his life) *in devotion and contrition, as if he had touched the wounds of Christ.* There was at all times in his conversation, and even in his aspect, a grave and religious severity. Under his canonical habit he wore the frock of a monk; and under that a rugged hair-cloth, next to his skin. Archbishop Theobald had doubled the sum which his predecessor appropriated to charitable uses; and Becket doubled that which had been given by him, bestowing a full tenth of the revenues of his see in constant and stated alms. But he was not satisfied with relieving the wants of the poor: he waited on them at table, he washed their feet with his own hands. We are told, indeed, that these acts of pious humility were done by him in private; but, as he usually repeated them every night, they could not long remain unknown; and the fame of them was increased by the affectation of secrecy. The hospitality

V. Stephani-
dem in vita
S. Thomæ.
Quadrilog. et
Vit. Thom.
præfixam epi-
stolis.
Gerv. Chron.

BOOK III. of the favorite was kept up by the primate; but the mode of it was changed. He dined in publick every day with profusion and splendour: but any nobles or gentlemen, who came to dine with him, were placed at another table; none being admitted to eat at his, except the monks of the convent of Canterbury, and a select set of clergymen, both English and foreigners, who were eminent for their learning, and whom he had particularly attached to his person. Instead of the usual entertainment of musick, some Latin book was read to him during the whole time of dinner: after which, he retired to a more private apartment with those learned friends, whose society seems to have been his chief delight. When he was visited by any of the regular clergy, he received them with such reverence, that (to use the words of John of Salisbury) “ *he seemed to worship the divine presence or angels in their persons.*” But against any who were accounted schismatics or hereticks, his zeal was flaming: he refused all communion with them; and professed, that he held them as his worst enemies. Nor did he spare to blame the faults of men in power very freely, *knowing* (says the historian I have cited above) *that where the spirit of God is, there consequently is liberty.* Thus he quickly obtained a reputation of sanctity, especially with the monks, to whom he chiefly made court, and who talked of his conversion as a most evident miracle of divine Grace, poured out upon him at his consecration.

But

V. Quadri-
log. l. i. c. 15.
17. & l. iv.
c. 12.

Vit. St. Tho-
mæ præfix. e-
pist. p. 20.
24. 156, 157,

V. Johan. in
Quadrilogo,
l. i. c. 15.
Vit. S. Thom.
præfix. epist.
p. 23.

But nothing so much excited the wonder of ^{BOOK III.} mankind, as his sending the great seal to Henry ^{A. D. 1163.} in Normandy, with a short message, "that he ^{V. Johan. in} desired him to provide himself with another ^{Quadrilogo,} chancellor; for he could hardly suffice to the ^{l. i. c. 22.} duties of one office, and much less of two." ^{Vit. S. Thom.} The king, at this proceeding, was no less alarm- ^{præfix. Epist.} ed than astonished. All he had known of the temper and inclinations of Becket made it very difficult to impute his resigning of an office, usually held by a churchman, to a scruple of conscience, or dislike of temporal power. He therefore looked upon it as a certain indication of a higher and more dangerous kind of ambition; believing that the archbishop would have continued his minister, if he had not aspired to become his rival, and to exalt the mitre above the crown. These uneasy apprehensions were accompanied with the shame of having been duped in his choice; one of the worst mortifications that could happen to a prince renowned for his wisdom.

When he came over to England full of anger and vexation on this account, Becket met him at Southampton, with the young Henry, his pupil; but was so coolly received, that the quick eyes of the court immediately saw, what ^{Diceto Imag.} many there were glad to see, a great decline of ^{Histor. sub} his favor. Another mark of it was, that the ^{ann. 1163.} king insisted with him on his giving up the archdeaconry; which he was so unwilling to part with, that, not without difficulty and urgent repeated expostulations, was Henry able

BOOK III. to wrest it out of his hands. Certainly, there
 A. D. 1163. could be nothing more unfit and indecent, than
 for the same person to be, at the same time,
 archdeacon and archbishop of Canterbury. It
 is very surprising that the impropriety of it
 should not have been perceived by Becket him-
 self!

V. Quadril. et
 Vit. S. Thom.
 ut suprà.
 Gervase.
 Neubrigenf.
 Diceto, sub-
 ann. 1163.

The affairs of Wales having engaged all the
 attention of the king for some time after his
 landing, he had no further disputes or expla-
 nations with the primate on church affairs; and
 Pope Alexander, holding a council at Tours,
 in the summer of this year, eleven hundred
 and sixty-three, obtained his permission, that
 it should be attended by the two metropo-
 litans, and all the bishops of England, ex-
 cept three, who were excused on account of
 sickness. The example of Louis, and the
 friendship which had hitherto continued so
 warm between Henry and Alexander, might
 render it very difficult, at this juncture of time,
 for Henry to refuse the pope his consent to a
 request of this nature: but he should have
 given his bishops the same orders at parting,
 as those who were permitted by his royal grand-
 father to attend the council of Rheims received
 from that prince, namely, *that they should go
 and salute the pope in his name, but take care
 not to bring with them, at their return into
 England, any of that pontiff's unnecessary in-
 ventions.* For there could be nothing more
 contrary to the reformation now intended,
 than

than one of the principal purposes of holding **BOOK III.**
 this council, which we may learn, with great **A. D. 1163.**
 certainty, from the sermon preached at the **V. Ord. Vital.**
 opening of it, wherein it was publickly and **sub ann.**
 expressly declared, *that the business of their* **1119.**
meeting was to take care of the liberties of **V. Baron.**
the clergy, as well as to restore the unity of **Annal. sub**
the church; and both these objects were re- **ann. 1163.**
 commended with equal warmth. Nor was
 the preacher's eloquence ineffectual. The as-
 sembly acted agreeably to his zealous exhor-
 tations. Even some of the canons made by
 them had a manifest tendency to establish that
 independence of the church on the state,
 which they had now so much at heart; and
 probably more was done, in their secret con-
 sultations, to facilitate and advance the success
 of their plan.

Extraordinary honors were paid to the arch-
 bishop of Canterbury on his arrival at Tours.
 Not only the citizens, and all the ecclesiasticks
 of different nations that attended the coun-
 cil, but, by the command of the pope, all
 the cardinals there, except two, who were in
 office about his own person, went out to
 meet him. Alexander judged well, for the
 interests of the papacy, in paying this court
 to that prelate. His spiritual pride was en-
 creased by it, and, together with that, his zeal
 for the hierarchy. A close connexion was
 also formed between Alexander and him, the
 consequences of which were most pernicious
 to

BOOK III. to Henry's designs. Nor were the other
A. D. 1163. English bishops uninfected with the spirit
 that reigned in this meeting. So very dan-
 gerous was it, in an age when the church
 was so extremely corrupted, for princes to
 suffer *those great cabals of ecclesiasticks*, that
 were dignified with the name of *general coun-
 cils*!

One of the means, by which Becket, in
 concert with Alexander, judged that the
 schemes they had formed together might best
 be promoted, was the canonization of archbi-
 shop Anselm. The cause, which they both
 equally determined to maintain, was the very
 same which that prelate had eminently distin-
 guished himself in supporting, and for which
 he had suffered banishment, with many other
 evils, under two kings of England. To
 canonize him, was to sanctify that cause and
 those sufferings: it was crowning opposition
 to the laws of the English government with
 the glory of heaven: nor could there be found
 a more proper or a more powerful artifice to
 seduce the imagination of the ignorant vulgar,
 and prevail with them to second the zeal of
 Becket in a future contest with the crown.
 For this purpose the archbishop had before
 employed John of Salisbury to compile a book,
 chiefly drawn from the writings of Eadmer,
 a monk contemporary with Anselm, in which,
 with an account of the merit of that prelate
 to the see of Rome and the church, several
 miracles,

V. Joann. Sa-
 tisb. de vitâ
 Anselm. in
 Angliâ sacrâ.

miracles, said to have been done by him during his life, and after his death, were recorded. BOOK III.
A. D. 1163.

This was presented to Alexander in the council, as a sufficient foundation for inserting him in the catalogue of Saints. But that pontiff, though his own inclinations corresponded with this request, was afraid to grant it at this time, because the same honor was asked for many other persons; and therefore he waited till after the council was separated; and sent into England a bull, by which Becket was im-
V. Bullam de
canoniza-
tione Anselm.
in Angliâ sa-
crâ, part II.
p. 177.

powered to convene his suffragan bishops, together with the clergy of his province, and, in case that they should approve of it, to canonize Anselm. Nevertheless, it seems that the archbishop, upon the breaking out of the quarrel between him and the king, was afraid of irritating him more by an act of this nature, or was doubtful whether his suffragans would concur with him in it: for we do not find that he assembled any synod upon it; and the canonization of Anselm was deferred for several centuries, even till the reign of King Henry the Seventh. But other parts of the plan concerted with Alexander were prosecuted by Becket, upon his return into England, with all the violence natural to his vehement temper. A severe canon having
V. Concil.
Canon. 111. been made in the council of Tours against any persons who usurped the goods of the church, he took occasion from thence to set up several claims, as archbishop of Canterbury, to the lands of English barons. Particularly-
he

BOOK III. he demanded of Roger de Clare, earl of Hertford, the castle of Tunbridge, with the honor belonging thereunto, though it had been granted in exchange for the castle of Brione in Normandy to the great grandfather of the earl, by King William the First, and quietly enjoyed, from that time, by the grantee and his heirs, under homage to the crown. He alledged, that it had formerly belonged to his fee, and that no grant, nor any length of possession, could be good against the claim of the church, according to the maxims of the Roman canon law. This alarmed all the nobility, who knew not how far his resumptions might be carried. The king himself was not safe with respect to his own property : for certain castles and manors of the royal demesne were claimed by the archbishop, as alienations from the fee of Canterbury, the restitution of which he was in conscience obliged to procure. It would be tedious to enumerate each particular instance, wherein, by a real or pretended zeal for the church, he disquieted his fellow-subjects, or offended his sovereign ; but it is necessary to take notice of one, which was of a nature somewhat different from the others, and very material. He collated a priest, named Lawrence, to the rectory of Eynesford in Kent, against the right of patronage in the lord of the manor, William de Eynesford, who held of the archbishoprick, but was also an immediate tenant of the king. The pretence on which
this

A. D. 1163.

Gerv. Chron. sub ann. 1163.

Vii. Thomæ præfix. epist.

Quadrilogus.

Diceto.

Gemit. l. viii.

c. 15.

Stephanid. in vitâ Thomæ.

Gervase act.

pont. Can-

tuar. col.

1675.

L. niger scac-

carii, p. 54

this was done was a general prerogative, BOOK III.
A. D. 1163. which Becket supposed inherent in the archbishop of Canterbury, to present to all benefices in the manors of his tenants. As the claim was unprecedented, William drove out the servants who were sent by Lawrence to take possession of the church in his name. Becket did not condescend to determine the dispute by process of law; but excommunicated his adversary, and without having asked the king's consent. This was a direct attack on the royal prerogatives. For it had been an uncontroverted right of the crown, ever since V. Eadmer, P. 4.
Diceto, col. 536. the establishment of the feudal constitution by William the First, that neither the tenants in chief, nor the servants of the king, could be excommunicated without his knowledge and consent, because the consequences of that sentence would deprive him of their service. But Becket, who disregarded both the authority and the reason of all such laws as tended to restrain or controul the ecclesiastical power, answered Henry, who sent him an order to take off the excommunication, that it did not belong to him to command any person to be V. Stephan. in vitâ Thom. ut supra. excommunicated or absolved. Nevertheless, when he found that the king insisted upon it, he yielded at last: but it does not appear, that he made any excuse for what he had done, or acknowledged the right of patronage in the lord of the manor, or receded in the least from the principles on which he had acted.

BOOK III.

A. D. 1163.

All these proceedings, instead of intimidating Henry, or averting him, by the prospect of a violent opposition, from his intention of reducing the clergy to obedience, determined him to it more strongly. He saw, indeed, that he must expect to find in Becket, whose assistance he had hoped for, his most intractable adversary ; but he saw likewise, that this circumstance, however unfortunate, rendered it necessary to proceed with double vigour, in order to set timely bounds to the insolence of a prelate, who, if he was suffered any longer to go on uncontrouled, would give such spirit and strength to the ecclesiastical faction, that it would not be afterwards in the power of the crown to vindicate its own dignity, and the rights of the kingdom. He thought that the first beginning of the reformation he meditated would be most properly made, by taking from the clergy that strange privilege, to which they pretended, of being exempt from all secular judicature ; because, so long as they retained it, they might safely persevere in all their other encroachments on the civil authority. And he had now an occasion of bringing on the question, with the strongest evidences of the mischiefs that must attend the continuance of such an immunity. Becket had lately protected some clergymen, guilty of enormous and capital crimes, from being delivered up to the justice of the crown. Among others there was one accused of having debauched a gentleman's daughter, and of having, to secure his enjoyment

V. Quadri-
log.V. Stéphan.
in vitâ Thom.

enjoyment of her, murdered the father. The king required him to be brought to judgement before a civil tribunal, that, if convicted, he might suffer a penalty adequate to his guilt, which the ecclesiastical judicatures could not inflict upon him: but this was resisted by Becket; which raising a general indignation in the publick, Henry summoned all the bishops to attend him at Westminster, and declared to them, in a weighty and vehement speech, the reasons of their meeting. He began by complaining of the flagrant corruption of the spiritual courts, which, in many cases, extorted great sums from the innocent, and in others allowed the guilty to escape with no punishment, but pecuniary commutations, which turned to the profit of the clergy. By these methods, he said, they had levied in a year more money from the people than he did himself, but left wickedness unreformed, secure and triumphant. He then set forth to them, in strong colours, the very great mischiefs that the whole kingdom had suffered, and the yet greater that necessarily must be expected to arise, from the impunity of the most flagitious offenders, who, under the cover of holy orders, had nothing to apprehend except spiritual censures, which wicked men little regarded. He said, it was certain, that they would only be readier to offend than before, if, after the spiritual punishment, they were not liable to corporal pains: and observed, that, on account of the abuse of their holy character, they deserved to be treated

BOOK III.
A. D. 1163.

V. Stephan.
ut supra.
Quadrilog.
Diceto imag.
hisor. sub
ann. 1164.
Gervase, et
Neubrigenfis,
sub ann. 1163.

BOOK III. ed with more severity than any other delinquents. For these reasons he demanded the consent of the bishops, that ecclesiastics convicted, or confessing themselves guilty, of any heinous crime, should first be degraded, and then immediately delivered over to the secular courts, for corporal punishment: he also desired, that one of his officers might always be present at the degradation of any such offenders, to prevent their flying from justice.

*Quadrilog.
ut supra.*

Becket was conscious that these complaints, though they seemed to be general, had a particular reference to some of his late proceedings. He likewise knew that all the laity, and even many of the clergy, had been displeased at his conduct: nor could he be sure that the demands which Henry had made, on such a foundation of justice, and with so much moderation, would not be agreed to by the bishops, if they were to give him an immediate answer, while the impression of his speech was strong on their minds. He therefore laboured very earnestly to obtain his consent, that no opinion should be delivered by them upon what he had said, till the next morning. This was denied; but he was suffered to confer with them apart; and, though he found them inclined to yield to a proposition, supported, not only by reason and the law of the land, but (as most of them acknowledged) by the scripture itself, yet he so wrought upon them by arguments drawn from the canons, the authority of which had entirely taken place of the scripture, that, coming

ing over to his opinion, they unanimously joined with him in declaring to the king, that no ecclesiastick ought ever to be judged in a secular court, or suffer death, or loss of limb, for any crime whatsoever; and that, degradation from orders being a punishment, it would be unjust to punish twice for the same crime: but that, if a clergyman, who had been degraded, should afterwards be guilty of other crimes, the royal judges, in that case, might punish him for them, according to their discretion.

BOOK III.
A. D. 1163.

Henry having reasoned with them against these notions some time, and finding them obstinate, reduced his arguments to this question, *Whether they would observe the ancient customs and laws of his realm?* To which Becket, after some consultation with his brethren, returned this answer, that he would observe those laws and customs, *as far as he could, saving the privileges of his order, and the honor of God.* Every one of the prelates, being asked the same question, answered in the same words. The king, extremely provoked at this evasive reserve, from which none but the bishop of Chichester could be brought to depart, said, *he perceived that a line of battle was drawn up against him,* and abruptly left the assembly. The next morning he took from Becket the government of his son, and the custody of those castles which had been committed to him when chancellor, and which he had not given

Gervase.
Neubrigenfis.
Stephanides,
ut suprà.

Gervase.
Quadrilogus,
ut suprà.

BOOK III. up when he resigned the great seal, though much more incompatible with his spiritual functions. The loss of these did not please him; but it particularly grieved him to see the young prince, whose tender mind he desired to mould to his purposes, taken out of his hands before he had been able to make any very lasting impressions upon it. Yet this he must have expected; unless he was sanguine enough to think, that fear would now induce the king to continue to him those trusts, which an immoderate and unsuspecting affection had rendered that prince so lavish in conferring.

V. Epist. 85. It appears by a letter from the bishop of
L. i. Lizieux, who knew the secrets of the court,
Epist. Thom. that Henry's anger against Becket was much
Becket. inflamed at this time, by a report, which had been made to him, of a conversation held by that prelate with some intimate friends, in which he had spoken of him irreverently, with an air of superiority, and as one who thought he could easily controul and over-rule him in any undertaking, from the reciprocal knowledge they had of each other's abilities. Upon this the king said, that it was necessary for him to exert his whole power, since he found he must now contend for his royal dignity; and an agreement would be impossible; for neither would he derogate in any manner from *that*, nor would the archbishop desist from his attempt.

The

The same letter informs us, that if there ^{BOOK III.} were some persons, to whom the behaviour of ^{A. D. 1163.} Becket appeared to proceed from an extraor- ^{V. Epist. 85.} dinary sanctity and zeal for religion, there were ^{ibidem.} others who saw it in very different lights. They said, " His ambition was much better
 " gratified, by holding that power indepen-
 " dently, and through the reverence due to an
 " ecclesiastical dignity, which before he had
 " only enjoyed under the favor and at the
 " will of another. That, being so raised, he
 " was no longer content to sit at the foot, or
 " even by the side, of the throne; but threat-
 " ened the crown itself: intending to bring it
 " into such a dependence on his authority,
 " that the ability to bestow and to support it
 " should principally belong to the church.
 " That he set out with opposing the king's
 " commands, in order that all might appear
 " to be absolutely subdued to his government:
 " since no hope of resisting could be left to
 " any others, where the royal authority itself
 " was forced to submit."

We also learn from the same evidence, that ^{V. Epist. cit.} the nobility of the kingdom were strongly ^{ut supra.} confederated with the king against the arch-
 bishop, and represented to him, " how much
 " it would dishonor his character, if he, who
 " exceeded all his predecessors in power, should
 " reign less worthily, or act more remissly,
 " than they had done, in defending the dig-
 " nity and rights of his crown." Henry did
 not want these instigations. But, though he

BOOK III. resolved to maintain his royal prerogatives with the necessary spirit and firmness, he proceeded as one who wished to conquer rather by art than force. All methods were used by him to gain the bishops to his side, or at least to divide them, and break their association: in which he so far succeeded, that many of them were inclinable to yield to what he desired, being only restrained from it by the fear of drawing on themselves the censures of Rome, if, in a cause of such importance to the interest of that see, they should discover less alacrity than the archbishop of Canterbury. This being evident, the whole policy of the king was exerted in trying to overcome the obstinacy of Becket. He threatened, he entreated, he even prevailed upon himself to flatter the man, whom he once had loved and now hated. But that prelate had too much sense, and knew courts too well, to think that favour could be regained after a struggle for dominion with his master. He therefore continued as inflexible to the allurements of Henry, as unshaken by his menaces, which had no effect on a mind, that was naturally intrepid, and in beginning this dispute had determined to stand all the perilous consequences with which it might be attended. In vain did the most discreet and sober of his friends urge to him the respect he owed to his sovereign: in vain did they set before him the ingratitude of his conduct, or the disturbance and danger, which,
by

Gervase.
Quadrilogus,
sub ann.
1163.

by persevering in it, he would bring on the whole kingdom, as well as himself. All this he answered by pleading his zeal for the church, which superseded all duties, and cancelled all obligations. When the bishop of Chichester, among others, pressed him to alter those words, which were so disagreeable to the king, and laboured to convince him, that a regard for the peace of the church, in this conjuncture, ought to induce him to proceed with more moderation; it only drew from him a severe reprimand to that prelate, for having taken the liberty to propose other words in the assembly at Westminster. He went so far as to say, *that if an angel should come from heaven, and advise him to make the acknowledgement desired by the king, without the saving he had thrown in, he would anathematise him.* Yet he was afterwards brought to make that acknowledgement, and part with his saving clause, by the authority of the pope's almoner, who was then at London, and whose advice, it seems, he was willing to take even preferably to that of *an angel from heaven!* This man pretended he had orders from his Holiness, to persuade him to obey the will of the king; in which, I imagine, he went beyond his commission; for, though Alexander might in general recommend to Becket a prudent complaisance to his sovereign, as he himself was obliged to cultivate the friendship of that prince, yet he could hardly intend to authorise, and much less to injoin,

BOOK III.
A. D. 1163.

Gervase.

V. Stephan.
in vitâ Thom.
Becket.

Quadrilogus,
five historia
quadripar-
tita.

BOOK III. such a concession as this, against all the interests and avowed pretensions of Rome. Probably, the almoner was gained by the king, who often negotiated more successfully with the pope's ministers, than he could with the pope, and would doubtless exert, on this occasion, his utmost liberality. It is affirmed by some of those who have written Becket's life, that the archbishop was told, before he yielded this point, that Henry had sworn to require nothing of him prejudicial to the church, desiring only that a mark of respect should be given to him in the presence of his nobility; to which effect *a mere shadow of consent would suffice*. But this seems to have been invented by the panegyrist of that prelate, to justify the apparent inconsistency of his conduct: for he perfectly knew to what his consent was demanded, and the intention of the king in that demand. However this may have been, he went to Henry at Oxford, and there promised to observe the customs of the kingdom, without any exception or reserve. The king received him with an appearance of great satisfaction, but not with the confidence he had formerly shewn him. Nor yet would he content himself with this verbal promise; but soon afterwards called a parliament to meet him at Clarendon, wherein such rights of the crown and customs of the realm, particularly with regard to judicial proceedings, as had been in use under the government of King Henry the First and his royal

A. D. 1163.

Quadrilogus,
c. 20.

Quadrilogus.
Gervase.

A. D. 1164.

See the preamble to the constitutions in the Appendix.
See also Epist. 126. c. Cod. Cotton, in the Appendix.

royal predecessors, being recollected upon me-
 mory, and set down in writing, by the most
 ancient persons there, it was likewise desired
 that the whole assembly should take an oath
 to observe them. This met with no difficulty
 on the part of the laity; but Becket objected
 to it, as very different from the general pro-
 mise he had given. The king and the tem-
 poral lords expressed great anger at this un-
 expected opposition; which indeed might
 well offend them; since it amounted to a
 confession, that he had meant to impose on his
 sovereign, and fraudulently evade the obe-
 dience he had promised. But the bishops con-
 curred with him, not daring to abandon their
 primate, in a contest against laws, which
 they were assured the see of Rome would join
 with him in condemning, as repugnant to
 the rights and liberty of the church, and *to*
the fidelity they owed to their lord the pope (as
 the bishop of London expressed himself in
 a letter he afterwards wrote upon this subject
 to Becket). For three days successively the
 temporal barons and they debated this point;
 but about the end of the third day, while they
 were sitting and conferring privately in a se-
 parate room, the whole body of the nobility,
 incensed at the obstinacy with which they
 continued to oppose the king's demand, came
 suddenly to them, in a tumultuous and vio-
 lent manner, and, extending their arms in a
 threatening attitude, accosted them with these
 words, " Take notice, you who condemn the
 laws

BOOK III.

A. D. 1164.

M. Paris,
p. 85.Quadrilogus.
Hoveden.
Gervase, sub
ann. 1164.V. Epist. 126.
e Cod. Cot-
ton. in Ap-
pendix.V. Epist. in
Append.

BOOK III. " laws of the realm, who refuse to obey the
 A. D. 1164. " orders of your sovereign : these hands, these

" arms, which you behold, are not ours : they
 " are the king's : our whole bodies are his,
 " and at this instant most ready to be em-
 " ployed in his service, or to revenge any
 " injury done him, in such manner as shall be
 " most conformable to his will ; and at his least
 " nod. Whatever command he shall be pleased
 " to lay upon us, we shall think it most
 " just, and obey it most willingly, without
 " examining any further. Be better advised ;
 " incline your minds to what is required of
 " you ; that, while it is in your power, you
 " may escape from a danger which will very
 " soon be inevitable." This was a language

and behaviour most hurtful to the king, and very unbecoming the nobility of England assembled in parliament. It violated the freedom essential to the nature of such an assembly, and greatly impeached the legality of all their proceedings. But there was still in our parliaments a remainder of barbarism and ferocity, not unlike what is now seen in some Polish diets. And the impatient spirit of the nobility was more than usually heated on this occasion, by the interest they had in the confirmation of laws so necessary to the general weal of the kingdom, and by their indignation at the confederacy, which now became apparent, between the pope and the English prelacy, under the conduct of Becket, to subject the temporal power to the ecclesiastical.

faistical. Having long endedvoured, without BOOK III.
 success, to reason the bishops into a better A. D. 1164.
 temper of mind, they now began to treat
 them, rather as enemies to their country than
 members of a free legislature, whose deter-
 minations ought always to be exempt from
 the least shadow of violence or compulsion.
 Yet, in despite of their menaces, the prelates V. Epist. 126.
 remained firm, believing, perhaps, that their in Append.
 fury, to whatever height it might rise, would
 be restrained from any outrage by the pru-
 dence of the king. Becket alone, after the
 temporal lords were departed, withdrew from
 his brethren, and went to consult with the Quadrilogus.
 prior of the Temple in London, and another Gervase.
 knight-templar, his particular friend, who
 both exhorting him to submit to the orders
 of the king, he returned to the bishops, and V. Epist. 126.
 spoke, in the hearing of them all, these very in Append.
 remarkable words: "*It is my master's pleasure,*
 "*that I should forswear myself; and at pre-*
 "*sent I submit to it, and do resolve to incur*
 "*a perjury, and repent afterwards as I may.*"
 The bishops heard him with astonishment,
 and were not a little scandalized at what he
 had said. Yet they went with him to the
 king and the other barons in parliament, to
 whom he declared his assent to the constitu-
 tions proposed, and promised *in the word of* See the pre-
truth, that he would observe them in good faith, amble to the
and without deceit; constitutions
 which was the usual in the Ap-
 form of all promissory oaths at that time. pendix.
 Having thus bound himself, he enjoined the
 other

BOOK III. other bishops, by the canonical obedience they owed him, to take the same engagement; which they all did in the same words. They then signed the articles, and set their seals to them; but this Becket declined; a reserve which does him no honor! for, after a solemn promise, that he would observe those constitutions, it was inconsistent and trifling to scruple the signing or sealing of them. The omitting of this form did not at all mend his case, or take off from the incongruity of his subsequent conduct: for, besides his verbal engagement, the consent he had given to the articles is expressly declared in the preamble to the act itself; which was, undoubtedly, as strong a testimony against him, as his subscription or signature; and all authors agree, that he received one counterpart, or authentic copy of it, into his custody; another being delivered to the archbishop of York; and a third retained by the king himself, to be enrolled among the royal charters. If therefore there is any weight in this circumstance, it can only shew that he was looking for subtrefuges, where none could be found, a little to palliate the guilt of that perjury, which (as he had told the bishops) he was deliberately resolved to incur.

It was not, I presume, from his having less obstinacy or courage than his brethren, that he was the first to forsake a cause, of which he had been the warmest champion; but from his being persuaded that his danger was greater, and

A. D. 1164.
Epist. 126.
e Cod. Cotton.
in Append.
Sec.
Epist. 12. l. i.
e Cod. Vatic.
Gervase.
Noveden.
Quadriologus.

See the preamble in the Appendix.

and that he should be singled out from all the BOOK III.
 others, to bear the whole weight of his sove- A.D. 1164.
 reign's indignation, which he saw the nobility
 disposed to aggravate. And this apprehension
 was well founded. For, besides that it is usual,
 when any great bodies of men have offended
 against a state, to punish the head, rather than
 the members, Henry must have desired, both
 from passion and policy, to set a particular
 mark of his royal displeasure, in the issue of
 this business, upon one who had so treache-
 rously deceived his affection, and whom naturally
 he must hate, in proportion as he had loved
 him, above all others. Nor did that prelate
 intend to give up the contest in reality, but
 only to temporise, and avoid the instant danger.

In my relation of this transaction there are
 some particulars of great importance, which
 differ from all the accounts that have been
 hitherto given by other writers: but they are
 founded upon the most unquestionable autho-
 rity, upon a letter written by Gilbert Foliot,
 then bishop of London, to Becket himself,
 during his exile, concerning this matter. I
 have before made some use of other passages in
 this letter, which, among many other epistles
 to and from the archbishop, has been preserved
 in a manuscript, which appears to be of that
 age, in the most valuable collection of our
 English antiquities, the Cotton library; from
 whence it is transcribed into the Appendix to
 this volume. A very strong presumptive
 proof of the truth of the facts attested there,

BOOK III. relating to Becket's behaviour, and that of the other bishops in the council of Clarendon, is their remaining uncontradicted by the primate himself, who, if he had not been silenced by the testimony of his own conscience, must have loudly complained of such a misrepresentation, capable of being disproved by all his brethren then present, to whom he might have appealed against the calumny invented by Foliot. But he never answered this letter. It must also be observed, that Baronius, who, in writing of these times, has transcribed several letters out of the Vatican manuscript of the same collection, and particularly that to which this appears to be an answer, has omitted to transcribe or mention this: and (what is no less remarkable) in the printed edition made at Brussels, from the Vatican manuscript, this is also left out. By which suppression of evidence, upon a point so important to the character of one of their greatest saints, we may judge of the credit due to the clergy of that church in ecclesiastical history.

Cod. Vat. l. i.
Epist. 108.
Thomas Can-
tuar. eccle-
siae humilis
minister Gil.
episc. Lond.
Quod semel,
hoc iterum.
Sic transire
per bona
temporalia,
ut non amit-
tat æterna.

Sixteen articles of this charter, or code of laws, which is called *the constitutions of Clarendon*, related particularly to ecclesiastical matters, whereof the ten following were the most contradictory to the pretensions of the clergy and see of Rome.

1. If any dispute shall arise concerning the advowson and presentation of churches, be-
tween

tween laymen, or between ecclesiasticks and BOOK III.
 laymen, or between ecclesiasticks, let it be A. D. 1164.
 tried and determined in the court of our lord
 the king.

2. Ecclesiasticks arraigned and accused of any matter, being summoned by the king's justiciary, shall come into his court, to answer there, concerning that which it shall appear to the king's court is cognizable there; and shall answer in the ecclesiastical court, concerning that which it shall appear is cognizable there; so that the king's justiciary shall send to the court of holy church, to see in what manner the cause shall be tried there: and if an ecclesiastick shall be convicted, or confess his crime, the church ought not any longer to give him protection.

3. It is unlawful for archbishops, bishops, and any disguised clergymen of the realm, to go out of the realm without the king's license; and if they shall go, they shall, if it so please the king, give security, that they will not, either in going, staying, or returning, procure any evil, or damage, to the king, or the kingdom.

4. Persons excommunicated ought not to give any security by way of deposit, nor take any oath, but only find security and pledge to stand to the judgement of the church, in order to absolution.

5. No

BOOK III.

A. D. 1164.

5. No tenant in chief of the king, nor any of the officers of his household, or of his demesne, shall be excommunicate, nor shall the lands of any of them be put under an interdict, unless application shall first have been made to our lord the king, if he be in the kingdom, or, if he be out of the kingdom, to his justiciary; that he may do right concerning such person; and in such manner, as that what shall belong to the king's court shall be there determined, and what shall belong to the ecclesiastical court shall be sent thither, that it may there be determined.

6. Concerning appeals, if any shall arise, they ought to proceed from the archdeacon to the bishop, and from the bishop to the archbishop. And, if the archbishop shall fail in doing justice, the cause shall at last be brought to our lord the king, that by his precept the dispute may be determined in the archbishop's court; so that it ought not to proceed any further without the consent of our lord the king.

7. If there shall arise any dispute between an ecclesiastick and a layman, or between a layman and an ecclesiastick, about any tennement, which the ecclesiastick pretends to be held in frank almoigne, and the layman pretends to be a lay fee; it shall be determined before the king's chief justice by the trial of twelve lawful

lawful men, whether the tenement belongs to **BOOK III.**
frank almoigne, or is a lay fee; and if it be **A. D. 1164.**
found to be frank almoigne, then it shall be
pleaded in the ecclesiastical court; but, if a lay
fee, then in the king's court; unless both par-
ties shall claim to hold of the same bishop or
baron: but if both shall claim to hold the said
fee under the same bishop or baron, the plea
shall be in his court: provided that by reason
of such trial the party who was first seized
shall not lose his seizin, till it shall have been
finally determined by the plea.

8. Whosoever is of any city, or castle, or
borough, or demesne manor, of our lord the
king, if he shall be cited by the archdeacon or
bishop for any offence, and shall refuse to an-
swer to such citation, it is allowable to put
him under an interdict; but he ought not to
be excommunicated, before the king's chief
officer of the town be applied to, that he may
by due course of law compel him to answer ac-
cordingly; and, if the king's officer shall fail
therein, such officer shall be at the mercy of
our lord the king; and then the bishop may
compel the person accused by ecclesiastical
justice.

9. Pleas of debt, whether they be due by
faith solemnly pledged, or without faith so
pledged, belong to the king's judicature.

10. When

BOOK III.

A. D. 1164.

10. When an archbishoprick, or bishoprick; or abbey, or priory, of royal foundation, shall be vacant, it ought to be in the hands of our lord the king, and he shall receive all the rents and issues thereof, as of his demesne; and when that church is to be supplied, our lord the king ought to send for the principal clergy of that church, and the election ought to be made in the king's chapel, with the assent of our lord the king, and the advice of such of the prelates of the kingdom as he shall call for that purpose; and the person elect shall there do homage and fealty to our lord the king, as his liege lord, of life, limb, and worldly honor (saving his order), before he be consecrated.

I shall have occasion, in another part of this book, to mention the contents of the six other articles. Some constitutions were likewise added, not relative to the church, which will hereafter be considered among the laws of this king: and at the end of the act there was a general clause, to save and confirm to the church, the king, and the barons, all other their rights and dignities not therein contained.

It is very remarkable, that the bishop of Winchester did not endeavour to gain the favour of the pope, and once more put himself at the head of an ecclesiastical faction in England, by making a firm opposition to these proceedings. He could not want inclination
to

to take this part, disgraced as he was and dissatisfied with Henry; but he saw that the temper of the nation was changed, and would not support him now against the civil power, as it had done in the heat of their quarrel with his brother. Anger in subjects acts as violently as ambition in kings: and thus, when a prince, by ruling ill, forsakes his true interest, it often happens that his people are drawn to depart no less from their's, and blindly give themselves up to the conduct and direction of any one man, or set of men, who will gratify their resentments, by opposing the court, however improper in itself, or however criminal in its motives, that opposition may be. To such a rage of discontent it was undoubtedly owing, that so great a part of the laity, in Stephen's reign, had joined with the clergy under the bishop of Winchester, in some of their attempts against the ancient rights of the crown, without reflecting how materially they themselves were concerned in the maintenance of those rights. But the good sense of that prelate enabled him to judge, that, while the general welfare of the state was the sole object of government in all its measures, the pretensions of a factious clergy would not be espoused as the cause of the publick. And he had reason to fear, that, if he began to be turbulent, Henry might be provoked to revenge his mother's quarrel, together with his own, by pursuing him to destruction. He therefore submitted, as well

BOOK III.
A. D. 1164.

BOOK III.

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as the other bishops, to what the present disposition of the nation required; not having the obstinate stiffness of a bigot, but a supple and flexible mind, which could, without difficulty, accommodate itself, in all political measures, to the spirit and bent of the times.

V. Epist. 4.

l. i.

V. etiam

Wilhelm. in

vitâ S. Tho-

mæ præfix.

epist. c. 24.

P. 44.

It appears by a letter from Alexander to Becket, dated the third of the Calends of March, in the year eleven hundred and sixty four, that, some time after the breaking-up of the council of Clarendon, Becket had joined with the archbishop of York, in writing to that pontiff, to support a request which Henry made, by Geoffry Ridel, archdeacon of Canterbury, and John of Oxford, *that his Holiness would confirm the ancient customs and dignities of his realm, by the authority of the apostolick see, to him and his successors.* But the pope says, in the same letter, that he had refused his assent. And one cannot wonder that he did; for such a request was, in reality, desiring the assistance of the papal power against itself. Indeed a bull had been granted, by Pope Calixtus the Second, to King Henry the First, which confirmed all the laws and customs of his realm: nor is it improbable that Henry the Second relied on that precedent in making this application; Alexander being now, as Calixtus was then, driven from Rome by a schism: but many circumstances made a difference, both in the times and the question. The papal authority had not gained such a footing in England under King Henry the First,

First, as under his successor; and therefore BOOK III.
A. D. 1164. less was given up by the grant of Calixtus, than would have been sacrificed by Alexander, if he had sent one of the same purport to Henry the Second. Nor had Henry the First, when he obtained that concession, engaged himself so far in favour of Calixtus as his grandson had now done in favour of Alexander; and with the court of Rome, as other courts, no gratitude for past services has so much weight as present utility. Every act, by which the last of these princes had supported and strengthened the party of Alexander, especially in having fixed the king of France to his side, had made him more independent, and, consequently, less tractable to any demands prejudicial to the interests and views of his see. It would, indeed, have been more beneficial to the king of England's affairs in many points, and particularly in all his disputes with the church, if he had joined at first with the emperor in acknowledging Victor, and had prevailed on Louis to concur with him in that determination: because a pope of the imperial faction, set up and supported by the emperor, must necessarily have acted with more regard to civil government, than the associate of Gratian in compiling the *decretum*, whose exaltation was owing to his known zeal for the papacy, and for the whole system of ecclesiastical power. We may judge of what might have been expected from Victor, by Saxo Gram-
mat. sub ann.
1163. the promise which he made to the bishops

BOOK III.

A. D. 1164.

V. Epist. 4.
L. i.

of Germany, in one of the councils held there, to give up that great prerogative of the papal supremacy, the receiving of appeals to his see. It was therefore a considerable error in Henry, to favor the adversary of this pontiff, and render himself the patron and chief support of that faction, which in its temper and principles was most repugnant to the purpose he had in view. By what means he was drawn into so unhappy a mistake has before been shewn. But, as things were now circumstanced, it was hardly to be hoped, that he should obtain more of Alexander, than a silent acquiescence in the confirmation of his customs by a parliamentary sanction: and it is surprising he should ask for any thing further; because (as we are informed by the above-cited letter from Alexander to Becket) he had applied to the former, before the assembly at Clarendon, by the bishop of Lisieux, and the archdeacon of Poitiers, for a mandate to be sent to all the English bishops, wherein the pope should require them to observe the ancient customs and dignities of the realm; which his holiness had refused to grant him, without such modifications and temperaments as would have defeated the purpose for which it was desired. But it seems that the dissimulation and falseness of Becket deceived the king in this matter. For, at the very time when, conjointly with the archbishop of York, he applied to Alexander to confirm the constitutions of Clarendon,

don, he had suspended himself from celebra-^{BOOK II.}
 ting mass, in testimony of his penitence for ^{A. D. 1164.}
 the crime he had committed by consenting
 to those laws: and there is extant a letter ^{V. Epist. 26.}
 from that pontiff to him, dated on the Calends ^{l. i.}
 of April, which enjoins him to return to the
 service of the altar, lest his absence from it
 should occasion a publick scandal; and ab-
 solves him from his sin, out of regard to the
 necessity he was supposed to be under, and
 to his intention in giving that unwilling con-
 sent. His having acted this part was a secret
 to Henry: but it is probable that the pope,
 by his agents in England, had early notice
 of it; and consequently he would pay but
 little regard to any thing done or said by
 Becket merely with an intention to impose
 on the king.

Another request had been made to Alex-^{V. Epist. 4.}
 ander by Henry, and pressed with great eager-^{l. i.}
 ness, which was, that a commission should
 be granted by his Holiness to the archbishop
 of York, appointing him legate over the whole
 kingdom of England, and should be sent to
 Henry, to be delivered by him to that prelate,
 whenever he should think proper. This was ^{V. Epist. 5.}
 agreed to, but under such a restriction as ren-^{l. ii.}
 dered it ineffectual: for, before it could be ob-
 tained, a promise was made by the king's mi-
 nisters in his name, that he would not deliver
 the commission without the knowledge and
 consent of Becket. It is surprising that they ^{V. Epist. 4.}
 should not have discerned the inutility of this ^{ut supra.}

BOOK III.

A. D. 1164.

V. Epist. 5.
ut supra.V. Epist. 6.
l. i.V. Historiam
Quadriparti-
tam.

pretended favor. Nor is it easy to account for the conduct of the pope, who, in notifying it to Becket, took no notice to him of the limitation under which it was granted! But not long afterwards, when he found that a great alarm had thereby been given to that prelate, who apprehended from it both disgrace and danger to himself, he informed him, by another letter, of the condition he had annexed to this illusory grant, and promised him, if the king should make any use of it, to exempt his person, and the church and city of Canterbury, from the archbishop of York's jurisdiction. Indeed this assurance was needless: for Henry, finding himself clogged by the promise given by his ministers, which he absolutely disavowed, sent back the commission, and could obtain no other so unlimited as to answer his purpose.

These applications to the pope having entirely failed, and the king imputing his disappointments therein to Becket, all amity between them apparently ceased; and the archbishop, being resolved not to recover his favor by the only effectual means, obedience to his laws, began to apprehend his resentment, and, in order to shelter himself from the storm, which he foresaw would soon rise, determined to go immediately out of the kingdom.

The doing this without a permission from the king was a very high misdemeanor, and particularly forbidden by the constitutions of Clarendon: but he now thought, or professed to think, that the disregarding of those statutes, though

though he had sworn to observe them, was an act of religion. Nor was it his intention, in flying out of England, to abandon the cause he had so deliberately engaged in; but he supposed that he should serve it with more advantage abroad, in the present state of affairs, than by remaining exposed to the indignation and power of Henry within his realm. Anselm and Theobald had set him the example of a voluntary exile on similar occasions; and he hoped that, by working on the bigotry and simplicity of the French monarch, and by animating the pope to more vigorous measures, he should force his sovereign to give up the constitutions of Clarendon, and then return with security and in triumph to his see. For this purpose he had sent an agent to Louis, by whom the mind of that prince was disposed to afford him protection and assistance. Not doubting therefore of a safe and friendly asylum, he went by night to the port of Rumney with all possible secrecy, and, attended only by two domesticks, set sail for France. But, having been twice driven back by contrary winds, he returned to Canterbury just in time to prevent the king's officers, who, upon the report of his flight, had been sent with a commission to seize his temporalities, from executing their orders. That report had given Henry no small disquiet, because he feared that a blemish might have been thrown upon his character, as if he had driven the archbishop from his see, in a tyrannical manner, without a legal process.

BOOK III.

A. D. 1164.

Quadrilogus.
Gerv. Chron.
sub ann.
1164.

V. Epist. 126.
e Cod. Cotton. in Ap-
pend.

BOOK III. Besides this apprehension, to which he expressed a great sensibility, he had another and a very strong reason for his uneasiness. He was then in such circumstances, that an enemy, or a rebel, especially one acquainted with the secrets of his foreign affairs, could hurt him infinitely more abroad than in England. The news therefore of Becket's having failed in his attempt was received by him with great joy; and when that prelate came to him at his palace of Woodstock, he so mastered his passion as to treat him very mildly. One word only dropped from him, in the course of their conversation, which discovered the real sentiments of his heart. He asked the archbishop, as it were jestingly, "whether the reason of his having desired to go out of his territories, was, *that the same land could not contain them both.*" What reply Becket made to this embarrassing question we are not told: but at his return from the palace he notified to his friends, that, although the king dissembled with him, he clearly saw he must either shamefully yield, or manfully combat; for he should presently be put to the proof. Being persuaded of this, he chose rather to begin than wait for hostilities, openly opposing the laws enacted at Clarendon, protecting churchmen who had offended against them, and expressing by his whole conduct a deliberate purpose to exalt the ecclesiastical above the civil power. All the nobles were alarmed; and Henry was told in plain words by some of his counsellors, *that,*

Quadrilogus,
five Histor.
Quadrupartita, l. i.

v. Histor.
Quadrupartitam.

that, if he did not take care of himself and his successors, it would come to that pass, that He whom the clergy should elect would be king, and only so long as it should please the archbishop. BOOK III.
A. D. 1164.
Quadrilogus.
Stephanides.
in vita S. T.

What England had seen under Stephen gave a force to these admonitions: but there was now on the throne a prince of much greater abilities, who determined to guard it against any such insults; and an occasion of executing that resolution, in a proper and legal manner, soon offered itself to him.

A royal mandate having been sent to Becket, V. Epist. 126. requiring him to do justice to a great officer of the household, John, the king's marshal, concerning an estate which he claimed from the church of Canterbury; and, the limited time being past, that nobleman now brought his complaint to the king, that justice was denied him by the archbishop. He also declared, that he had gone through the necessary forms for removing the cause out of the court of Canterbury into the king's court. Whereupon a citation was sent to Becket from the king, by which that prelate was ordered to appear before him upon a fixed day. But his answer to this summons was an express declaration, *that he would not obey it.* V. Epist. prædict. Which appearing greatly to derogate from the king's right and dignity, it was thought proper to bring him before the high court of parliament, to answer for this offence, and several others he was charged with on the part of the crown. A great council was accordingly summoned
at

BOOK III.

A. D. 1164.

V. Epist.
predict.

Ibidem.

V. Stephanid.
in vitâ S. T.V. Herebert.
in vitâ Becket
præfix. episto-
lis, et in
Hist. Quadri-
partitâ.
Gerv. Chron.
collect 1389.
Hoved. Ann.
sub ann.
1165.V. Stephan.
in vitâ S. T.

at Northampton, *to which* (says the bishop of London in his letter to Becket) *the whole people came, as one man.* Those of the assembly, who by their rank and dignity were entitled to sit in the presence of the king, having taken their seats, Henry complained to them, in very moderate and decent terms, of the contempt of his mandate shewn by the archbishop of Canterbury; who, being called upon to answer, confessed the fact, only alledging, in excuse of it, that the marshal had failed in point of form, because he had taken the oath required of him to authorise the appeal, not upon the gospel, as he ought to have done, but upon the psalter, or a book of hymns then used in churches. This plea was judged insufficient: the court condemned the archbishop, as guilty of contumacy against the king's majesty; because, having been cited by the king, he neither came, nor alledged by message any infirmity of body, or necessary function of his spiritual office which could not be delayed: and therefore they decreed his goods and chattels to be all at the mercy of the king. The bishops unanimously concurred in this sentence with the temporal barons; and, it being understood that a fine of five hundred pounds (equivalent in those days to seven thousand five hundred in these) would be accepted by Henry, Becket submitted to pay that sum, and found sureties. We are told by one author, that this sentence was pronounced by the bishop of Winchester,

at

at the command of the king: but I think the fact very doubtful. Nor do I give much credit to what the same historian relates of the refusal of Foliot bishop of London to concur with all his brethren, in being sureties for Becket; as I do not find him reproached with it in any of the letters written afterwards by that prelate, or any of his friends, on this subject. Such a singularity would have certainly deserved animadversion; and they were much inclined to censure him wherever they could.

The next day, the king demanded of the archbishop five hundred pounds, which he said he had lent him when that prelate was his chancellor. Becket affirmed that it was given, not lent: but, as he could not prove the grant, the court condemned him to pay the money back; and he submitted to the sentence; five of his vassals offering themselves to be his sureties, as they saw the bishops unwilling to pledge themselves for him any further. But on the third day a higher charge was brought against him; it being alleged, that having had, while he was chancellor, the rents of several vacant abbies and bishopricks, with other casual profits belonging to the crown, many years in his hands, he never had given any account of them, which now the king required him to do. He said, that, not having been cited concerning this matter, he came not prepared to make a present answer to it; but in due time and place

BOOK III.
A. D. 1164.

Vit. St. T.
Cantu. præfix. epist.
p. 47. c. 26.
Gerv. Chron. sub ann. 1164.

V. Epist. 6.
& 33. l. ii.
e Cod. Vatic.
& Hist. Quadripartit. & Gerv. Chron.

BOOK III.

A. D. 1164.

place he would not fail to do the king right. It would have been unjust to deny him so necessary a delay; nor did Henry object to it, or press him to come to an immediate account, but only demanded suteties: whereupon he desired leave to consult with the bishops; and the king permitted him to go with them into a separate room. The difficulty, upon which he requested their advice, was indeed very perplexing. His expences, while he was chancellor, had been enormous, and much beyond what the income of his employments or benefices, great as they were, could supply. The chief support of that magnificence was the king's money in his custody, of which, during the time that he continued a favorite, his indulgent master had neglected to ask an account, and he had never given any. But that omission, which favour had connived at, anger would not overlook, and justice could not, when it was made a legal charge. Sensible of this, he resolved in his own mind to submit to no examination, and not to attempt to find security for what he could not perform; but wished much to be supported by the authority of his brethren in resisting the demand. The bishop of Winchester, who inclined to serve him, reminded the other prelates, that on his election to the see of Canterbury he was given to the church *free and discharged from all the bonds of the court*; as had been declared in their hearing by the king's justiciary. And it is said, in a letter

V. Hist. Quadripart. u. m., c. 27.

letter from the bishop of London on this subject, *that many thought his promotion a sufficient discharge from all the obligations he had contracted in the court.* But that prelate himself was of another opinion, and therefore advised him to resign his archbishoprick into the hands of the king, as the only means that could be found to draw him out of this difficulty, by appealing the resentment of that monarch against him. The bishops of Chichester, Lincoln, and Exeter, expressed their assent to this counsel; but the bishop of Winchester said, it would be a precedent of dangerous consequence to them all, and of great prejudice to the liberty of the church. The bishop of Worcester spoke doubtfully; and a long silence ensuing, Becket rose up, and desired to speak with the Earls of Leicester and Cornwall, who were then with the king. These lords being called to him, he told them, that the persons to whom his cause was best known not being then present there, he prayed a respite till the next day, at which time he would make his answer *as God should inspire him.* Which being explained to the king by the bishops of London and Rochester, as purporting that he would then deliver in his accounts, that prince sent back the two earls abovementioned, to signify his assent to the delay requested by him, if he would perform on his part what the two prelates, his suffragans, had promised in his name. But he denied that he had authorised them to carry such a message, and repeated

BOOK III.

A. D. 1164.

V. Epist. 120.

Cod. Cotton.

in Appendix.

V. Hist. Quadripartitam.

Ibidem, c.

f²⁷.

BOOK III.

A. D. 1164.

peated again his former words. Nevertheless the king permitted him to depart, and, the next day being Sunday, adjourned the council till Monday, that no precipitation or hardship might be justly complained of in the proceedings against him. When he came home, he found himself entirely forsaken by the great train of knights and gentlemen which had attended him to the parliament : whereupon he ordered his servants to pick up all the beggars about the hedges and villages in the neighbourhood of Northampton, and invite them to his table ; affecting to imitate the parabolical feast of the gospel. His command was obeyed ; and he dined in that company, saying, *that with such an army he should more easily obtain the victory, than with those who had shamefully fled from him in the hour of danger.* Yet his mind was so agitated, that the disturbance of it brought upon him a violent fit of the colick, to which distemper he was subject. It seized him on Sunday night, and disabled him from attending the council the next day. All the assembly believed that his illness was a feigned one ; but, to know the truth, they deputed some of the greater nobility to visit and cite him to the court. He pleaded his sickness, which they evidently saw to be real ; and assured them that he would not fail, with the assistance of God, to appear before them the next day, though he should be obliged to be carried in a litter. Early in the morning he was visited by many of the bishops, who endeavoured to per-

Ibidem,
c. 29.

suade him, that, for the peace of the church, and his own safety, he should submit himself entirely to the king's pleasure; because, if he did not, he would be charged in the court of parliament with perjury and treason, as having failed in the allegiance he owed to the king, by refusing to obey the royal customs, to the observation of which he had particularly bound himself, with a new oath, so lately. He replied, that he confessed himself inexcusable before God, for having taken an oath against God: but that, as it is better to repent than perish, he would not admit a law repugnant to the divine law. David, he told them, had sworn rashly, but repented; Herod kept his oath, and perished. Wherefore he enjoined them to reject what he rejected, and annul those obligations which would destroy the holy church. "It is (added he) a detestable proceeding, that you have not only forsaken me in this dispute, but now for two days have sat in judgement with the barons upon your spiritual father. And from what you say I conjecture that you are ready to judge me, not only in a civil, but also in a criminal cause. But I forbid you all, for the future, in virtue of the obedience you owe me, and at the peril of your order, to be present at any further proceedings against me: which the better to prevent, I appeal to the refuge of all who are oppressed, our mother, the church of Rome. And if, as it is rumoured, the secular power shall presume to lay hands upon me, I command

BOOK III.

A. D. 1164.

 Gerv. Chron.
 sub ann.
 1164.

 V. Hist. Quadripartitam,
 c. 29.

BOOK III. "mand you, in behalf of your father and me:
 A. D. 1164. "tropolitan, to thunder out the proper eccle-
 "sistical censures. But of this be assured,
 "that, let the world rage against me ever so
 "furiously, even though my body be burnt, I
 "will not shamefully yield, nor wickedly for-
 "sake, the flock committed to my care."

V. Historiam
 Quadripartit.
 Gervase.
 Hoveden.

The bishops having left him after this declaration, he went and said mass at an altar dedicated to St. Stephen, ordering it to begin, as on the festival of that martyr, with these words of the scripture, *Princes sat and spoke against me*: he also caused this verse of the Second Psalm, *the rulers take counsel together against the Lord, and against his anointed*, to be sung as part of the service. Having thus prepared himself (as one of his advocates tells us) for martyrdom; or (as it was, doubtless, understood by the king and the peers) having thus libelled them and their proceedings; he secretly carried with him a consecrated host, and went to the parliament. When he came to the door, he took the cross out of the hands of the person who bore it before him, and holding it up entered alone into the chamber, where the king and the barons assembled expected his coming. The bishops rose up to meet him, and were greatly astonished, when they saw him appear in so extraordinary a manner before his sovereign and his judges. The bishop of Hereford offered to carry the cross, as his chaplain; but he refused to deliver it, saying, it was proper he should bear it himself, as he

V. Herebert.
 in Quadrilog.
 Edw. Grime
 MSS. Gre-
 sham College.
 Gervase.
 Hoveden,
 Stephanid. in
 vita S. T.

wanted it to protect him; and that, when this ensign appeared, it would be evident under what prince he fought. The bishops of London and Hereford strove in vain to wrest it out of his hands: which the archbishop of York observing, severely reprov'd him, for presuming to come into the court of his sovereign thus armed with his cross, as if to bid him defiance: and he was told, both by that prelate and the bishop of London, *that he would find the king's weapon of greater force than his*: to which he replied, *that the king's weapon indeed could kill the body, but his could destroy the soul, and send it to hell*. He then notified to them all his appeal to the pope; and prohibited them from assisting in any other judgement concerning him or his cause.

The king, being informed of the manner of his coming, had instantly retired into an inner room of the castle, from whence he sent out a herald, to command all the other spiritual and temporal lords, who were assembled in the hall, to attend upon him there. When this order was obeyed, he complained to them that Becket, by entering his court in that unheard-of manner, had fix'd a stain upon him and all the peerage of England, as if some treachery had been intended against him, which made it necessary for him to have recourse to the sacred protection of the cross. The answer returned was, that the archbishop had been always a vain and arrogant man: That this action was an affront, not only to his sovereign, but

BOOK III.

A. D. 1164.

V. Hist. Qu.

drip. c. 30

31.

V. Hist. Qu.

drip. c. 31.

BOOK III. but to all the peers, and the whole kingdom assembled in parliament: That the king had drawn it on himself, by raising one of such a character above all his other subjects, and placing him next to the throne: That, for his ingratitude and perfidy to so good a master, and for the manifest violation of his oath of fealty, in this offence against the honor and reputation of his sovereign, he ought to be impeached of perjury and high treason. But, although this appeared to be the unanimous sense of the whole assembly, who confirmed the advice with loud clamours, yet the king was so moderate, that he would not allow them to proceed against the archbishop on this account; but only required that justice should be done him with regard to the debt which he had claimed from that prelate; and sent some lords to demand of him, whether he would give pledges to stand to the judgement of the court on that article, or was prepared to do the king right according to his promise. His answer amounted to a peremptory refusal; which, together with the declaration he had made to the bishops, of his appeal to the pope, appeared to the king and to all the temporal barons such an act of deliberate and contumacious disobedience, that they resolved to attain him, as guilty of high treason. But the bishops found themselves under very great difficulties how to act on this occasion. The constitutions of Clarendon, which they had sworn to observe, enjoined them to be present with the other peers, at the trials

A. D. 1164.

V. Hist. Quadrip. c. 31.

V. Epist. 126. e Cod. Cotton. in Append.

trials of the king's court, till the judgement BOOK III.
A. D. 1164. proceeded to loss of members or death. They

knew that no sentence of that nature would be past against the archbishop; and the king called upon them, with the strong authority of a law so lately confirmed, to remember the oath they had taken, and perform their duty to him, by concurring in this judgement with the temporal barons. On the other hand, they were afraid of the spiritual censures, which they might draw upon themselves, by disregarding the prohibition, and the appeal to the pope, notified to them by Becket. After some consultation, they agreed to implore V. Hist. Quæ-
drip. c. 32. the permission of the king to appeal to the see of Rome against that prelate, on account of his perjury; solemnly promising, that they would use their utmost endeavours to prevail on Alexander to depose him from his archbishoprick; if the king would excuse them from joining with the temporal lords in the sentence they were going to pass against him. To this Henry gave way, with more complaisance than discretion. Whereupon they went to Becket; and the bishop of Chichester, who was the best speaker among them, accosted him with these words: "Some time you was

" our archbishop, and we were bound to

" obey you: but because you have sworn fealty

" to our sovereign lord, the king; that is,

" to preserve to the utmost of your power his

" life, limbs, and royal dignity, and to keep

" his laws, which he requires to be maintain-

BOOK III. "ed, and nevertheless do now endeavour to
 A. D. 1164. "destroy them, particularly those which in
 "a special manner concern his dignity and
 "honor; we therefore declare you guilty
 "of perjury, and owe, for the future, no obe-
 "dience to a perjured archbishop. Where-
 "fore, putting ourselves and all that belongs
 "to us under the protection of the pope, we
 "cite you to his presence, there to answer to
 "these accusations." He then named a day
 for the archbishop's appearance before the pon-
 tiff. *I hear what you say*, replied Becket;
 and vouchsafed no other answer. Whereupon
 the bishops, withdrawing themselves from him
 to the opposite side of the hall, set apart, in
 deep silence, for a considerable time. The
 king, in the mean while, had demanded justice
 against him from the temporal peers, and had
 called in certain sheriffs, and some *barons of*
inferior dignity, to assist in the judgement.
 They unanimously found him guilty of per-
 jury and treason. After which the earls and
 barons, with a great crowd of other persons
 attending the parliament, went to the arch-
 bishop; and the earl of Leicester, as grand
 justiciary, said to him these words, "The
 "king commands you to come before him,
 "and give an account of the money you are
 "charged with, according to the promise
 "you made to him yesterday. Otherwise
 "hear your sentence." "My sentence!" in-
 terrupted Becket, rising up from his seat,
 "nay, son earl, hear you first. You are not
 "ignorant

V. Stephan.
 in vita S. T.

V. Hist. Qua-
 erip. c. 33.

“ ignorant how serviceable and how faithful, BOOK III.
 “ according to the state of this world, I have A. D. 1164.
 “ been to the king. In respect whereof, it
 “ has pleased him to promote me to the arch-
 “ bishoprick of Canterbury, God knows,
 “ against my own will. For I was not un-
 “ conscious of my weakness; and, rather for
 “ the love of him than of God, I acquiesced
 “ therein: which is this day sufficiently ap-
 “ parent; since God withdraws both him-
 “ self and the king from me. But in the
 “ time of my promotion, when the election
 “ was made, prince Henry, the king’s son,
 “ to whom that charge was committed, being
 “ present, it was demanded in what manner
 “ they would give me to the church of Can-
 “ terbury? And the answer was, *free and*
 “ *discharged from all the bonds of the court.*
 “ Being therefore *free and discharged*, I am not
 “ bound to answer, nor will I, concerning those
 “ things from which I am so disengaged.”
 Hereupon the earl said, “ This is very different
 “ from what the bishop of London reported
 “ to the king.” To which the archbishop re-
 plied, “ Attend, my son, to what I say. By
 “ how much the soul is of more worth than
 “ the body, so much are you bound to obey
 “ God *and me*, rather than an earthly king:
 “ nor does law or reason allow, that children
 “ should judge or condemn their father:
 “ wherefore I disclaim the judgement of the
 “ king, of you, and of all the other peers of
 “ th’ realm, *being only to be judged, under God,*

BOOK III. “ *by our lord the pope*; to whom, before you all, I
 A. D. 1164. “ here appeal, committing the church of Can-
 “ terbury, my order, and dignity, with all there-
 “ unto appertaining, to God’s protection and
 “ to his. In like manner do I cite you, my
 “ brethren and fellow-bishops, because you
 “ obey man rather than God, to the audience
 “ and judgement of the sovereign pontiff; and
 “ so relying on the authority of the catholick
 “ church, and the apostolical see, I depart
 Gerv. Chron. “ hence.” He was then going out; upon
 Hist. Qua- which a general cry was raised in the hall;
 drip. c. 34. and, as he passed along, many called him a per-
 “jured traitor. Stung with these words, he
 turned his head, and, looking back upon them
 with a stern countenance, said, as loudly as
 he could, that, if his holy orders did not for-
 bid it, he would by arms defend himself against
 the charge of treason and perjury: nor could
 he refrain from revenging himself upon two
 of the most clamorous, by very foul language;
 upbraiding one of them, who was an officer
 belonging to the household, with one of his
 relations having been hanged; and calling
 earl Hamelin, the king’s natural brother, bastard
 and catamite. When he came to the outward
 gate, he found it locked; but the porter, at
 that instant, happening to be out of the way,
 one of his attendants perceived the keys hung
 on the wall near the gate, and seizing upon
 V. Hist. Qua- them let him out. As soon as he appeared in
 drip. c. 34. the street, a great number of beggars, together
 with the mob of the town, and some of the in-
 ferior

ferior ecclesiasticks, crowded about him, congratulating him upon his delivery, and attending him, with joyful acclamations, to the convent where he lodged. This he affected to call *a glorious procession*, and invited them all to partake of his repast. Whereupon the whole monastery and the courts belonging to it were filled with this rabble, whom the archbishop very courteously entertained as his guests. As soon as Henry was informed of his having withdrawn himself so abruptly from the judgement of his peers, and with such a provoking insolence of words and behaviour, he apprehended that the barons might be incited, by the excess of their indignation against him, to some act of illegal violence; and therefore most prudently ordered proclamation to be made, that he forbade all persons, on pain of death, to do the archbishop, or his people, any harm. Presently afterwards he received a message from that prelate, by the bishops of Hereford, Worcester, and Rochester, requesting his licence to go out of the kingdom. On what pretence, or suggestion, this petition was supported, we are not told: but probably it was, that he might prosecute the appeal he had made to the pope. The king answered, that he would advise with his council upon it, the next day. We are told by one, who was then attending upon Becket, that, before he sent this message, upon hearing the words of the gospel, "*When they persecute you in one city, fly to another,*" read to him at dinner,

BOOK III

A. D. 1164.

V. Epist. 126.
 e Cod. Cotton. in Appendix.
 Gerv. Chron.

V. Hist. Quadrup. c. 35.

V. Heribert. in Quadr. log.

BOOK III. he evidently shewed by his countenance, that

A. D. 1164.

he resolved in his mind to obey that precept.

V. Johanni in Quadrilogo. But, if we may believe John of Salisbury, he

conceived this design from an alarm which he received from two of the nobility, who came to him in the evening, and, with many tears and oaths, revealed to him a conspiracy against his life, which some persons of great quality, but of infamous characters, had formed, and bound themselves, by mutual oaths, to carry into effect. Whether any notice of such a plot had been given to the king, and was the occasion of his ordering the above-mentioned proclamation, is uncertain; and indeed it looks like a story invented afterwards to justify the archbishop's flight: but, when that proclamation had been made, there was no reason to apprehend any danger of this kind. It is therefore most probable, that, if such an intelligence was really given to Becket, he regarded it no further than to make it an excuse for leaving the kingdom, which stronger reasons might incline him to, and which he undoubtedly had been long desirous to execute. He now was sensible that he had no time to lose; and determined to attempt it that very night. The better to conceal his intention, or to encourage the notion of his apprehending some outrage, he ordered a bed to be made for him in the church, between two altars, as if he meant to take sanctuary there; and rising at midnight went out, by a back-door of the convent, with only two attendants,

V. Alano in Quadrilogo.

V. Heriberto in Quadrilogo.

attendants, a monk of the Cistercian order, BOOK III,
 and another, named Herbert de Bosciam, who A. D. 1164.
 has written an account of his life, from which
 I shall take the particulars of his flight. This
 author indeed does not tell us, nor do I find
 in any other, how they got out of Northamp- Ibidem, l. ii.
 ton, which was then a walled town : but from c. 2.
 his relation it appears, that, instead of directing
 their course towards any of the ports, from
 whence the archbishop might readily pass over
 to the coast of France or Flanders, they rode
 northwards to Lincoln, in order to elude any
 pursuit, that might be made when his escape
 out of Northampton should be known. From
 thence he went by water to a hermitage in
 the fens, near forty miles from that city, where,
 being secured from discovery by the solitude
 of the place, he rested three days, and then
 turned to the south-east, travelling on foot,
 and by night, in the habit of a monk, but
 reposing all day in different monasteries, till
 he came to Estrey in Kent, a manor belonging
 to the priory of Canterbury, and not far from
 that city. There he remained eight days,
 unknown to all but one priest, who kept him
 concealed in his chamber, while Herbert de
 Bosciam and two other ecclesiasticks of his
 train were employed at Sandwich to procure
 a small fisherboat for him, which he embarked
 in, with them, a little before the dawn of the
 fifteenth day from the last of his attendance at
 Northampton, being the tenth of November,
 in the year eleven hundred and sixty four.

About

BOOK III.

A. D. 1164.

About the close of the evening he landed, not far from Gravelines : but, before I proceed to tell the consequences of his escape out of England, I shall make a few observations on the transactions relating to him in the parliament of Northampton.

It cannot, I think, be denied, that, whatever matter he was charged with in that assembly, the offence which drew upon him the displeasure of the king, and without which he probably would have been accused of no other, was his renewed opposition to the constitutions of Clarendon. Upon this a most severe inquisition was made into the rest of his conduct : complaints against him were sought for ; and it may seem that in the course of these prosecutions national justice was somewhat sharpened by royal resentment. Yet that every thing was done according to law we have great reason to presume from the manner of proceeding. For he was not condemned by delegates appointed by the king, and particularly under his influence, but in the high court of parliament, by all the barons and bishops of England. The bishops at least must have been careful not to concur in any judgement against the primate, which was not agreeable to the methods and forms of law then established, and to the nature and quality of the offence ; because, besides their own consciences and the reproach of the world, they had the resentment of Rome to apprehend in this business ; it being certain that Alexander would support the arch-

archbishop, as far as the case would admit. BOOK III.
 And it is very evident, that all possible care A. D. 1164.
 was taken, in the proceedings against that prelate, to avoid such matters as might engage the see of Rome in the quarrel. For this reason it was, that the king did not accuse him of violating the laws he had sworn to maintain, in points relating to the clergy; but charged him as a civil officer, indebted to him in great sums, during the time of his ministry, and whose accounts had not been duly or regularly paid. He did not attempt to prove (and a contemporary historian says he *could not* prove) that the king had, by any order or act of his own, either previously authorised, or afterwards ratified, the pretended discharge, which he said had been given to him, upon his promotion to the see of Canterbury, by the young prince then an infant, and by the justiciary, in a very extraordinary manner, and without any examination of his accounts, on which a discharge could have been properly grounded. Whether the words spoken by them on that occasion, *that they gave him to the church of Canterbury free and discharged from all the bonds of the court*, could be supposed to extend to such an acquittance; or how far the king's subsequent or preceding indulgence might be admitted, in equity, to bar, or at least to mitigate, the present demand; were points which the parliament might have favorably considered, if, with due obedience, he had submitted the case to their judgement. But for one standing

Diceto inter
 Decem Scrip-
 tores, p. 537.

BOOK III. so charged to deny the authority of the highest court in the kingdom, and, in a cause purely civil, appeal from thence to an ecclesiastical and foreign court, when such an appeal, even in spiritual causes, had been so lately forbidden by one of the statutes enacted at Clarendon, was the highest act of contumacy that can be conceived: it was not only an infringement of that particular law, but a rebellion against all the laws of the land and the whole legislature. His only apology was what a writer of his life, who lived in those times, says, he declared to the bishops, in answer to their objection of the solemn promise they had made to observe all the rights and prerogatives of the crown; namely, *that a Christian king had no right or prerogative, by the exercise whereof the liberties of the church, which he had sworn to maintain, could receive any prejudice.* But the question was, how far the *liberties of the church* extended, and the legislature had already decided that question, by declaring those customs, against which he objected, to be obligatory on all the subjects of England, and those pretended liberties, which he presumed to assert in behalf of the clergy, to be illegal encroachments and innovations. The parliament therefore could not possibly recede from this judgement, nor allow a subject to deny the validity of the laws which the king and they had established, disclaim their authority, and declare himself only responsible for his conduct to God and the pope. Cdo bishop of Bayeux, and Flambard bishop

V. Stephanid.
in vitâ S. T.
Cantuar.

bishop of Durham, had been imprisoned for offences of less danger to the state. Nevertheless it is evident, that Henry had no intention, if Becket had staid in the kingdom, to punish him with such rigour as his behaviour deserved. He only desired to deprive him of his archbishoprick, and reduce him to a condition, in which his turbulent spirit would not be so troublesome to the government and peace of the kingdom. It would perhaps have been a wiser conclusion of the proceedings against him at Northampton, if, immediately after his contumacious departure from the court, the king had ordered him to be arrested and forced from the monastery into some place of safe custody. But, unquestionably, the worst fault committed by that prince, in the management of this business, was allowing the bishops to appeal to the pope, instead of joining in the sentence which the other barons pronounced against the primate. Indeed that appeal was made in consequence of the archbishop's; but it was equally offensive to the dignity of the kingdom: it admitted the jurisdiction of the pope in a matter of which he had no proper cognisance, and gave him an authority to revise and rejudge what ought to have been finally determined in England, by the law of the land and the judgement of the barons. There was much evil in this concession; but Henry was unwarily induced to make it, by his very earnest desire of keeping the bishops on his side in this contest, and

BOOK III.

A. D. 1164.

and by a belief that the pope would be persuaded by them to consider the dispute, as a pecuniary cause between him and his late chancellor, in which the church, or the hierarchy, had no concern. And if, through their mediation, that pontiff could be prevailed upon to depose the archbishop, he thought it would as effectually answer his purpose as more violent methods, and less disturb the tranquillity of his kingdom. But he was greatly deceived in these opinions. Becket acted more artfully, and with a truer discernment of the consequences that would follow from his conduct. By his plea of exemption from all secular jurisdiction, and by citing the bishops to answer at the tribunal of the pope, for having concurred with the laity in the former judgements against him, he interested the authority of Rome in his quarrel; and instead of a defendant in a weak or doubtful cause made himself plaintiff in behalf of the church, and the champion of that court to which he appealed. Thus the policy of the king was baffled, and his hope disappointed: the contest not being, in Alexander's opinion, whether Becket ought to pay the debt he was charged with, but what were the limits of the civil and ecclesiastical powers.

V. Hist. Quadripart. l. ii. c. i.

Gervase, sub. ann. 1165.

Upon the first notice that the archbishop had secretly fled from Northampton, orders were given by Henry to watch the sea ports, particularly Dover; but, lest all these cautions to prevent his escaping out of England should prove

prove ineffectual, that prince was advised to BOOK III.
entreat the king of France not to receive him A. D. 1164
in his territories; and likewise to employ all his power to obtain of the pope, that the appeal made to his Holiness might be decided in England, by legates sent thither, and the fugitive primate remanded back to his see, till judgement was past. This seemed very necessary; for the king had much to fear from that prelate's being suffered to take refuge in France. The secrets of the state were known to him; and what use he might be inclined to make of that knowledge, how many enemies he might raise against his late master, how many friends he might cool, what instructions he might give to those who envied or dreaded the greatness of that monarch, in prejudice to him and his government, was matter of very serious and very uneasy consideration. At the same time, not to put any difficulties in the way of the negociation with Alexander, it was thought expedient that the king should abstain from the exercise of his royal prerogative, which gave him a right to seize the archbishop's temporalities, in consequence of his flight; and that all who belonged to that prelate should be left unmolested by the government, till it had been seen what effect such gentle measures would have, in bringing the affair to an amicable conclusion between Henry and the pope. To these counsels the king assented; and a most splendid embassy, consisting of many of the chief nobility of his kingdom,

BOOK III.

A. D. 1164.

dom, both ecclesiasticks and laymen, was accordingly sent, without delay, to the king of France and to Alexander, of whom the latter had made Sens, a town in Champagne, the place of his residence. But the ambassadors were commanded, on account of the uncertainty where Becket might be, to go first to the earl of Flanders, and deliver to him a letter, of the like purport with what they carried to Louis, complaining of the archbishop, as having traiterously fled from justice, and desiring the earl not to give him protection in any part of his country. It so happened, that they passed from Dover to Calais, at the very time when Becket sailed from Sandwich to Flanders. As he had not been heard of in England after a search of some days, it was supposed by the king's officers that he had escaped to France or Flanders, while he was still in the kingdom; and this opinion occasioned their not being so vigilant in guarding the ports, as when the orders to that purpose were first received. But this danger did not end upon his crossing the sea. It has been shewn, in the former parts of this history, that the earl of Flanders, besides his near relation to Henry, was under the greatest obligations to him for the care he had taken of his person and territories while his father was in Asia. It has likewise been told, that his brother, the earl of Boulogne, had been assisted by that prince in his marriage with Matilda, King Stephen's daughter, in virtue of which he had gained

that opulent province. These were strong reasons to render them both unfavorable to Becket. Nevertheless it appears, by a letter from John of Salisbury, whom he had sent abroad as his agent when first he took the resolution of seeking an asylum on the continent, that the earl of Flanders had given him an assurance of protection, and had even offered to procure a vessel and seamen for his passage. But that was before the proceedings against him at Northampton, and when his going out of England could not have been branded as flying from justice. In his present circumstances, to protect him was inconsistent with any shew of friendship for his sovereign. Sensible of this, he desired to pass undiscovered through the territories of Flanders; and perhaps he had privately agreed with the earl, that, not to draw upon that prince a quarrel with Henry, he should come in disguise, and, seemingly, without his knowledge. Certain it is, that he acted with no less caution than if he had been in an enemy's country; for, being afraid to enter the port of Gravelines, where he might have been subject to a troublesome examination, he was set on shore a league from thence, and forced to travel on foot, through deep roads, and a great storm of wind and rain, before he had recovered from the sickness occasioned by his voyage. It so fatigued him, that, his strength being quite overcome, he laid himself down upon the ground, cold and wet as it was, and declared

BOOK III.

A. D. 1164.

V. Epist. 24.

l. i.

Heribertus in

Quadrilogo.

l. ii. c. 3.

Alanus in

Quadrilogo,

l. ii. c. 3.

BOOK III.

A. D. 1164.

Heribertus in
 Quadrilogo,
 l. ii. c. 4.

clared to his attendants, that he could not walk any further. They then procured him a horse, but without a bridle or saddle. Supplying these defects, as well as he could, by a halter and some cloaths of the three monks who waited on him, he rode to Gravelines, and, under the name of Frier Christian, stopped at an inn in that town. We are told by one of his companions, that, while he was at supper, the host, being a man of more than vulgar sagacity, suspected who he was, from some remarks on his countenance, person, and behaviour, and from the report, which had already spread itself all over Flanders, of his prosecution and flight. These suspicions he immediately imparted to his wife, who confirming them from her own observations and opinion, they began to treat him with a respect that made him very uneasy. To take it off, and persuade them of his being what he appeared, he invited the host to sit at table with him; but the good man, seating himself, with great humility, at his feet, said to him, "My lord, I return thanks to God Almighty, that I have been thought worthy of receiving you under my roof." "Why, who am I?" replied Becket: "am not I a poor monk?" "No," said the host; "you may call yourself what you please, but I know you to be a great man, and archbishop of Canterbury." Though it was dangerous to trust a person unknown, Becket thought it more dangerous to persist in a reserve that probably

probably would be useless, and therefore declared himself to him, with an air of frankness and confidence, proper to confirm his goodwill. This secured his fidelity: the archbishop passed the night without a further discovery, and, for fear that the next day should produce any alteration, he took the man along with him, to be his guide to St. Omers. When they arrived there, which was late in the evening, he would not enter the town; but went to a monastery of the Cistercian order, situated near to it; where he learned that the ambassadors sent by King Henry had come that day to St. Omers, and were lodged in the castle. Upon this intelligence, he removed in the night to a hermitage, which had belonged to St. Bertin; a very solitary place, surrounded with waters. Here he was concealed, three days and nights, with only one of his attendants, having ordered the two others to watch the motions of the English ambassadors, who left St. Omers the next morning after his departure from the convent. On the fourth day, being informed that he might come without danger, he went to the abbey of St. Bertin, where he was received by the monks with great respect and affection.

The English ministers, having made a short abode with the earl of Flanders, hastened to France, where they supposed the archbishop had found means to procure a secret asylum; as they had no tidings of him. The esteem which Louis had conceived for the character

BOOK III.

A. D. 1164.

V. Hist. Qu.
dripart. l. ii.
c. 7.

BOOK III. of that prelate, when he knew him as chancellor and favorite to King Henry, had since been greatly increased by the general fame of his piety, and by the account of his extraordinary zeal for the church, which he had re-

V. Epist. 23. received from a messenger, whom the archbishop, not long after the council of Clarendon, had sent over on purpose to make a favorable representation of his cause and behaviour. This agent was assured, at his departure from the king, that, if the primate should seek an asylum in his territories, he would receive him, not as a bishop, nor an archbishop, but *as a partner in his kingdom*. The subsequent proceedings at Northampton were also reported to Louis, with much kindness for Becket, by many of the bishops of France, who, being leagued in the same ecclesiastical faction against the civil power, spoke of him as a martyr. He had moreover some advocates among the laity there. The earl of Champagne, and his brothers, who, from the enmity of the house of Blois against that of Plantagenet, wished ill to the king of England, suggested to Louis, that, by fomenting the discord between the church and the crown, which had fortunately arisen in that kingdom, he might effectually secure and strengthen his own. It must be confessed, that in this counsel there was a colour of reason. Yet a wiser prince would have seen, that, upon such an occasion, any particular jealousies ought to have been sacrificed to the common cause of both crowns, that is, to the maintaining of the royal authority against ecclesiastical and
papal

papal encroachments. All the kings in the BOOK III.
 Christian world were no less interested in this A. D. 1164.
 dispute on the side of Henry, than the pope
 was on the side of the archbishop of Canter-
 bury; and Alexander disregarded all the
 great obligations which he had to that monarch,
 when brought into comparison with the in-
 terest of his see; so should Louis have set
 aside the lesser reasons of state, to assist his bro-
 ther of England in supporting the essential
 and fundamental rights of sovereignty, thus
 attacked by the priesthood. But his policy
 not reaching so far, and his bigotry, which
 more than any other principle directed his con-
 duct, inclining him eagerly to espouse the
 cause of Becket, he received very coldly the
 English ambassadors, when they arrived at his
 court; and beginning to read the letter, they
 had brought to him from Henry, he stopped Gervase.
 at these words, “ Thomas, *late archbishop of* Quadriologus.
Canterbury, has fled out of my realm like a
 “ traitor;” and asked them, whether the per-
 son there mentioned was no longer archbishop
 of Canterbury, and who had deposed him?
 They appearing embarrassed at the question,
 he said, “ I am a king as well as the king of
 “ England; but I would not have deprived
 “ the lowest clerk in my kingdom, nor do I
 “ think I have power to do it. I know that
 “ this Thomas served your sovereign long and
 “ faithfully in the office of chancellor; and his
 “ recompence is now, that his master, after
 “ having forced him to fly out of England,
 F 3 “ would

BOOK III. " would also drive him out of France." The
 A. D. 1164. ambassadors hereupon, seeing no hopes of succeeding in this part of their business, entreated him at least to admonish the pope not to give any credit to the suggestions of Becket against the king of England; which he likewise refusing, they left him, and went to Alexander at Sens. The day after their departure, the two ecclesiasticks, whom Becket had dispatched from St. Omers, arrived at Compiègne, where Louis then kept his court, and implored him to grant that prelate an asylum in his kingdom. He embraced them, and repeated to them the answer he had given to Henry's ministers; bidding them assure the primate, in his name, that he should be received with great kindness. Nor was he satisfied with this promise; but dispatched his own almoner on a message to the pope, beseeching his Holiness, that, *as he loved the honor of the church, and the weal of the French kingdom, he should maintain Thomas archbishop of Canterbury, and his cause, in all points, against the tyrant of England.* Becket was confirmed, by these encouragements, in his desire and intention of going into France. But, while he was yet in the abbey of St. Bertin, Richard de Lucy, who had been sent not long before, on some secret commission, to the earl of Flanders, returned to England by St. Omers, and, hearing that Becket was there, went and made him a visit. How it happened that the archbishop, who had fled from the sight of the English ambassadors
 when

when he first came to St. Omers, took now so **BOOK III.**
 little care to avoid the notice and presence of **A. D. 1164.**
 the Great-justiciary of England, who of all his
 council was the most devoted to Henry, we
 are not told. But it is said, that in their con-
 ference Richard tried to persuade him to go
 back to England, offering himself to conduct
 him, and be a mediator and intercessor with
 the king for his pardon, which he thought
 might be obtained by such an act of submission.
 The archbishop answered, *that the temper of*
the king was implacable when he was thoroughly
angered. The justiciary, finding him abso-
 lutely determined to persist in the part he had
 taken, expressed a proper indignation at his
 obstinacy, and left him. It was indeed most
 improbable that this visit should conclude in
 any other manner.

Presently after the departure of Richard de **Heribertus in**
 Lucy, Becket went from St. Omers; and, **Hist. Qua-**
 whether he really apprehended some danger to **drip. c. 10.**
 his person, or only did it to conceal the secret **l. ii.**
 intelligence he had with the earl of Flanders,
 he chose to travel by night, and under the con-
 duct of some soldiers procured from his friends,
 the abbot of St. Bertin, and the bishop of
 Tournay, till he had got out of the Flemish
 territories into the French. On his arrival in
 the latter he was joined by some of his clergy,
 who, from attachment to his person, or zeal
 for his cause, desired to follow his fortunes.

During the spring of this year, eleven hun- **V. Francisci**
 dred and sixty-four, the antipope Victor had **Pagi breviar.**
 died **pontif. Rom.**
sub ann. 1164.

BOOK III. died at Lucca ; but another, who took the name of Paschal the Third, being elected soon afterwards, by the party of that pontiff, the schism remained unsubdued ; and seemed, in the whole extent of the imperial dominions, to draw a new spirit, and an augmentation of vigour, from its new head. Becket therefore had great reason to dread the impressions that might be made upon Alexander by Henry's ambassadors, in circumstances which rendered the friendship of their master so necessary to him ; and it appears from some letters, that the nearest friends of that prelate were very apprehensive of his being sacrificed by the pope to the necessity of the times. Henry indeed, on the first intelligence of Victor's decease, had renewed his assurances of adhering to Alexander ; which, one would think, in good policy he should not have done ; as he might have found an advantage, in his disputes with the church, from leaving that pontiff more doubtful, with regard to his resolutions, at such a crisis. But, by a letter sent to Becket soon after that event, this hasty proceeding may be accounted for, and in some measure justified. We are there told, that, when the news of the antipope's death came into France, it was imagined by some there, that the emperor himself would put an end to the schism, by submitting to Alexander ; and that this conjecture was much strengthened by other accounts, received about the same time, of a disposition in some of the cities of Italy to revolt

A. D. 1164.
V. Baronium,
 sub eodem
 anno.

V. Epist. 7.
 23, 24. l. i.

V. Epist. 7.
 l. i.

revolt from that prince, who was dangerously ill of a fever. Henry therefore might fear, that, if he did not make haste to declare for Alexander, instead of terrifying that pontiff, he should hurt his own interests. But the election of Paschal, the recovery of the emperor, and some advantages gained by their adherents in Tuscany, quite changed the scene; and Becket was informed by another letter from one of his agents at Sens, before the proceedings against him at Northampton, that Alexander himself and all his cardinals were full of uneasiness, on account of the long stay, which John Cummins, whom Henry had sent to the emperor, made in the court of that prince; and because, for some time, no minister from the king had come to Sens; which, with other concurrent circumstances, had alarmed them so much, that they were by no means disposed to offend any potentate, but least of all the king of England. Affairs had remained in much the same situation from that time to this: so that Henry was now very confident in the hope suggested to him by those bishops who had most of his confidence, that Alexander might prefer his own personal interests to those of his see. And if the king of France had been only neutral between him and Becket, this confidence, probably, would not have been disappointed. But his weight turned the scale in favor of the primate. Before the ambassadors from the king of England were heard, Alexander had received the

message

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A. D. 1164.

V. Epist. 23.
l. i.

BOOK III.

A. D. 1164.

Alanus in
Hist. Quadri-
partita, l. ii.
c. 8.

message from Louis, of which an account has been given, and had admitted the agents of Becket to an audience. They began by saying, “ They were sent to acquaint his Holiness, *that Joseph, his son, was still living, but no longer bore rule in the land of Egypt, having been, on the contrary, oppressed, and almost destroyed, by the Egyptians.*” After which they related to him, in the same style of the scripture, the perils his son had gone through, *when he fought with beasts at Northampton, his perils among false brethren, perils in his flight, perils upon the road, perils at sea, perils even in the port:* upon the whole, they represented him as another St. Paul. At which, says one of the monks who wrote his life, the father of all fathers was so much moved, that he burst into tears.

The next day, a consistory being called for that purpose, audience was given to the English ambassadors. The persons sent on this important business were the archbishop of York, the bishops of London, of Worcester, of Exeter, and of Chichester, with three of the king’s chaplains; and the earl of Arundel, with three more of the temporal barons, who were all men of great dignity in Henry’s court. The bishop of London began, and, in a Latin oration (which, with the others here following, I give upon the report of one who was present), set forth “ the necessity, that the apostolical see should employ its authority to reclaim that man to true wisdom, who,
“ being

Alanus ut
suprà.

“ being wise in his own conceit, had disturbed BOOK III.
 “ the concord of his brethren, the peace of the A.D. 1164
 “ church, and the piety of the king.” He said,
 “ that a diffension between the king and the
 “ priesthood had lately arisen in England,
 “ on a point of small importance, which
 “ might have been extinguished more easily,
 “ if moderate remedies had been used: but
 “ my Lord of Canterbury, following his own
 “ singular notions, and not the advice of his
 “ brethren, proceeded too eagerly, not con-
 “ sidering the malice of the times, and what
 “ mischief his violence might produce: so
 “ that he had woven a snare for himself and his
 “ brethren; and, if their consent had abetted
 “ him in his purpose, the business would un-
 “ doubtedly have had a worse end. But,
 “ because they would not concur, or ac-
 “ quiesce in a conduct so contrary to their
 “ duty, he sought to turn the blame of his
 “ own rashness upon them, nay, upon the
 “ king, and the whole nation, in order to
 “ blemish whose fame, he had fled out of the
 “ kingdom, no man offering him any violence,
 “ none even threatening him; according as
 “ it is written, *the wicked flies when no man*
 “ *pursues.*” At these words his Holiness in-
 terrupting him, said, “ Brother, forbear.”
 The bishop answered, “ My Lord, I will for-
 “ bear him.” “ I bid you forbear, replied the
 “ pope, not out of regard to his character,
 “ but to your own.” At which reprimand,
 being abashed, he said no more. Nevertheless
the

BOOK III. the bishop of Chichester, vain of his eloquence, for which he was famous, ventured to inveigh, in a rhetorical style, against the immoderate presumption of Becket, and remonstrated to the pope the danger attending it, of producing a schism in the church, and other grievous disorders. But, while he was indulging his oratory out of season, he happened to speak a word of false Latin, and repeat it once or twice; which drew upon him the laughter of the whole assembly; whereby he was so confounded, that he stopped short, and remained silent. The archbishop of York, observing how ill his brethren had succeeded, spoke more concisely, and more discreetly of Becket, saying only, "That he had known him, by long and close observation, even from the time of his first setting out in the world, to be a man of great obstinacy in whatever opinion he had once entertained; and that, having too lightly engaged in this dispute (as he was apt to be hasty in his determinations), he could by no means be set right, unless his Holiness would apply his own hand to the work, and let it be felt pretty roughly." The bishop of Exeter said, "There was no need of a long discourse: the cause could not be determined in the absence of the archbishop of Canterbury: therefore they desired that legates might be appointed to hear and decide it."

The

The bishops after this continuing silent some BOOK III
time, the earl of Arundel desired to be heard. A. D. 1164.
and in the English language spoke thus: "Of V. Alanum in
" what the bishops have said we illiterate lay- vitâ Becker.
" men are entirely ignorant, but must, as well See also Ger-
" as we can, perform the commission with vase.
" which we are entrusted. Nor do we come
" hither to dispute, or to throw out reproaches
" against any man, especially in the presence of
" so great a person, to whose nod and autho-
" rity all the world does and ought to submit:
" But for this we certainly come, to lay before
" you, holy father, and the whole church of
" Rome, the devotion and love which the king
" our master has always borne to you, and still
" bears. By whom is this done? by the great-
" est and noblest of all his subjects, by arch-
" bishops, bishops, earls, and barons. Higher
" than these he could find none in his king-
" dom; for, if he could have found any, he
" would have sent them, to shew his reverence
" to you, holy father, and to the sacred Roman
" church. You have yourself experienced suf-
" ficiently, upon your first exaltation to the
" pontificate, the fidelity and devotion of our
" royal master, when he entirely submitted to
" your authority himself and his realm. Nor
" is there in Christendom any prince more
" pious than he, or who more desires to main-
" tain the peace of the church by a moderate
" use of his royal authority. Nevertheless
" my Lord Archbishop is also in his own or-
" der

BOOK III. "der and degree as well instructed, and in
 A. D. 1164. " things that belong to his office as discreet
 " and prudent; though to some persons he
 " may seem too sharp and severe. And, were
 " it not for the present unfortunate difference
 " between the king and him, the state and the
 " church would be mutually happy in union
 " and tranquillity, under so good a prince,
 " and so excellent a pastor. It is therefore our
 " earnest request, that you would apply your
 " gracious endeavours to compose this dif-
 " ference, and bring about a renewal of con-
 " cord and affection." This speech, being
 more suitable to the temper of the assembly in
 which it was spoken, was thought to deserve a
 more favorable answer than had been vouch-
 safed to any of the bishops. The pope there-
 fore said, that he well knew, and preserved in
 remembrance, with what devotion the king of
 England had conferred many and great obliga-
 tions upon him; which, when a proper oppor-
 tunity offered, he desired from his soul to re-
 turn, in a most grateful manner, so far as
 might be consistent with his duty to God.
 Upon which all the ambassadors desiring most
 earnestly, that he would send the archbishop
 back to England, and nominate legates to judge
 him there, he consulted with the cardinals
 what answer to make; many of whom were
 of opinion, that he should grant the king's re-
 quest, for fear of driving him to the antipope;
 but others opposed it, and he determined not
 to yield to it in the manner desired. How-
 ever,

ever, that he might keep some measures with the king, he told the ambassadors, that, as they had asked for legates, legates they should have. Whereupon the bishop of London kissed his foot, and desired to know with what powers those legates would be sent. "With the proper powers," answered he. "Yes, returned the bishop, but we desire they may decide this cause without appeal." "That, said the pope, is my glory, which I will not give to another. And certainly, when the archbishop of Canterbury is judged, it shall be by ourselves; for no reason allows that we should remand him back into England, to be judged by his adversaries, and in the midst of his enemies." He added, that they should wait for the arrival of that prelate, who would soon be there, and in whose absence nothing concerning him could be justly determined.

The reason given in one of the contemporary historians, why Alexander refused to send legates into England, for the final decision of this controversy, is, "that he knew King Henry was mighty in word and deed, and that the legates might be corrupted, as loving money more than justice." Another affirms, that, by the advice of a prelate, to whom the dispositions of that court were well known, the ambassadors had carried with them a large sum of money, as a requisite most essential to the success of their business. If this be true, it will account for the affected moderation, with which the earl of Arundel spoke in his public

BOOK III.
A. D. 1164.

Hoveden, fol.
ann. 1164.

Heribertus in
Hist. Quadripart. l. ii.
c. i.

Stephanid. in
vita S. Thom.

BOOK III. public audience. For, trusting to the secret
A. D. 1164. influence of bribes and corruption, he might think that an open accusation of the primate, or angry invectives against him, would rather be likely to obstruct than serve his purpose. Otherwise it is certain that he expressed himself much too tenderly concerning that prelate, and as if he had only desired that Alexander should mediate a reconciliation between Henry and him; which was very different from the errand on which he was really sent. But, though it is probable, he meant to do his business, rather by gaining than convincing the sacred college, this method proved as ineffectual as reason or argument: for the interests of the papacy were so closely interwoven with those of Becket, and Alexander was so afraid to offend the king of France, who had made himself a party in the archbishop's cause, that nothing could induce him to comply with Henry's desires. When the earl of Arundel found that the soothing arts he had used were of no service to his master, he changed his tone, and talked a language more suitable to the dignity of the character in which he appeared, intimating that the king might, by this ill-treatment, be provoked to join with the antipope: but, Alexander still remaining inflexible, he and his colleagues departed, without receiving or asking the benediction of that pontiff.

In the mean time Becket came to Soissons, and Louis, heated with the idea of his suffering
for

for the church, made a visit to him there. BOOK III.
 During his abode in that city, which con- A. D. 1164.
 tinued some days, the insinuating prelate en-
 tirely possessed himself of his affections; and
 his mind, from this time forwards, was so ex-
 asperated against Henry, that he quite forgot
 the great service lately done him by that
 prince, in marching to his succour against the
 emperor, and took every opportunity of do-
 ing him mischief to the utmost of his power.

These impressions being made, and the arch- Hist. Qua-
 bishop having obtained a liberal maintenance drip. c. 10,
 for himself and his followers at the expence 11. l. ii.
 of the king, he left Soissons and went to Sens,
 where he was coolly received by the cardinals,
 but kindly by Alexander, who appointed the
 next morning to give him a public audience,
 on the reasons which had induced him to aban-
 don his see, and seek a refuge out of England.
 The cardinals being accordingly assembled
 together, he was called in, and seated at the
 right hand of the pope, who commanded him
 to plead his cause before them; whereupon
 he rose up, but was ordered by his Holiness
 to sit down again, and speak sitting; which
 greatly encouraging him, he confidently set
 forth, " how meritorious to Rome, and how
 " much against his own interest, his conduct
 " had been; since there was not a single man
 " in the kingdom of England who would
 " have refused obedience to him, if he would
 " have complied in all points with the will
 " of the king; and while he served on those

BOOK III. " terms every thing prospered with him, ac-
 A. D. 1164. " cording to his wish ; but when he changed
 " his course, out of regard to his sacred pro-
 " fession, and duty to God, the king's affection
 " for him immediately began to cool. Yet
 " even now, if he would entirely submit to
 " that prince in all his purposes, he should
 " want no intercession to recover his favor.
 " But seeing that the church of Canterbury,
 " which had been in times past *the western sun*,
 " was now obscured in its brightness, he chose
 " rather to endure a thousand deaths, than
 " dissemble the evils it suffered. And, lest
 " he should seem to have unnecessarily, or out
 " of vain-glory, engaged in this dispute, he
 " thought it best to satisfy all the assembly
 " there present by ocular demonstration."
 Then producing to them the writings in which
 were contained the constitutions of Clarendon,
 he said, with tears, " See here, what laws the
 " king of England has ordained against the
 " liberty of the church ! Be judges yourselves,
 " whether without the perdition of my soul
 " I could possibly connive at such matters
 " as these !" The constitutions were read, and
 saved him the trouble of entering into any
 justification of the other parts of his conduct.
 It was the opinion of the whole assembly,
that in the person of the archbishop of Canterbury
the catholic church should be succoured ; and
 the pope proceeded, in the same consistory,
 severally to examine the articles contained in
 that writing, of which he *tolerated six, not*

as

as good, but less evil; and absolutely condemned the ten which have before been recited. BOOK III.
A. D. 1164.
 Those he *tolerated* were as follows.

1. Churches belonging to the fee of our lord the king cannot be given away in perpetuity, without the consent and grant of the king.

2. Laymen ought not to be accused unless by certain and legal accusers and witnesses, in presence of the bishop, so as that the arch-deacon may not lose his right, nor any thing which should thereby accrue to him: and if the offending persons be such as that none will or dare accuse them, the sheriff, being thereto required by the bishop, shall swear twelve lawful men of the vicinage, or town, before the bishop, to declare the truth, according to their conscience.

3. Archbishops, bishops, and all dignified clergymen who hold of the king in chief, have their possessions from the king as a barony, and answer thereupon to the king's justices and officers, and follow and perform all royal customs and rights, and, like other barons, ought to be present at the trials of the king's court with the barons, till the judgement proceeds to loss of members or death.

4. If any nobleman of the realm shall forcibly resist the archbishop, bishop, or arch-deacon, in doing justice upon him or his, the
G 2
king

BOOK III. king ought to bring them to justice; and, if
A. D. 1164. any shall forcibly resist the king in his judicature, the archbishops, bishops, and archdeacons, ought to bring him to justice, that he may make satisfaction to our lord the king.

5. The chattels of those who are under forfeiture to the king ought not to be detained in any church, or church-yard, against the king's justiciary; because they belong to the king, whether they are found within churches or without.

6. The sons of villeins ought not to be ordained without the consent of their lords, in whose lands they are known to have been born.

That the pope and his consistory should thus sit in judgement upon the laws and statutes of England was a most insolent violation of the independence, the freedom, and the dignity, of the crown; and the abetting of such an act was without question highly criminal in a subject of that kingdom. But Becket knew that this crime would be there reputed a virtue, the merit of which would atone for any failing or offence in other parts of his conduct. Nevertheless there was one circumstance, from whence he apprehended advantage might be taken, to induce the see of Rome, even by the authority of the canons, to consent to depose him; I mean the violation of the liberty of
the

the church, by the compulsive methods used BOOK III.
A. D. 1164.
to obtain his election to the archbishoprick of
Canterbury, which it would have been easy

for his adversaries to prove against him. Con-
scious of this, he thought it necessary to guard
himself as effectually, and as speedily, as he
could, against that danger. On the following

day, the pope and the cardinals being in a more Alanus in
Quadrilogo,
c. 12. l. ii.
private room, he came to them, and accosted
them in the following words: " My fathers

" and lords, it is unlawful to speak untruly

" any where, but more especially before God,

" and in your presence: wherefore with tears

" I confess, that my miserable offence brought

" all these troubles upon the church of Eng-

" land. I ascended into the fold of Christ,

" not by the true door, not having been called

" by a canonical election, but obtruded into it

" by the terror of secular power. And though

" I undertook this charge unwillingly, yet was

" I induced to it, not by the will of God, but

" of man. What wonder then, if it has pro-

" spered so ill with me? Yet, if, through fear

" of the menaces of the king, I had given it

" up at his desire (as my brethren the bishops

" would fain have persuaded me to do), I

" should have left a pernicious example to the

" catholick church: for which reason I de-

" ferred it till I could come into your presence.

" But now, acknowledging that my entrance

" was not canonical, and fearing from thence

" a worse exit; perceiving also my strength

" unequal to the burthen; lest I should ruin

BOOK III. “ the flock, whose unworthy pastor I am made,
 A. D. 1164. “ into your hands, O father, I resign the arch-
 “ bishoprick of Canterbury.” Then taking off
 his ring, he gave it to the pope, and desired
 him to provide a proper pastor for the church
 which he thus left vacant. Nothing could be
 more artful than this method of proceeding !
 By deposing himself in this manner he corrected
 all the faults that could be alledged by his
 enemies to make void his election, and was
 very sure that the pope, into whose hands he so
 humbly resigned the archbishoprick, would re-
 store it to him again, and confirm him there-
 in ; after which his possession of it would not
 only be free from all the former objections, but
 must be defended by Alexander, for the sake of
 supporting his own immediate act, and the au-
 thority of his see. Accordingly, when he and
 his followers were withdrawn, and the matter
 was fully considered, only some few of the
 cardinals, whom Becket's historians call *the*
Pharisees, gave their opinion for accepting his
 resignation, and providing for, or rewarding
 him, in some other manner ; as a means hap-
 pily offered of satisfying the king ; but the far
 greater number, and Alexander himself, ex-
 pressed their apprehensions, “ that if he, who,
 “ in defence of the liberty of the church, had
 “ risked, not only his wealth and honors, but
 “ life itself, should be suffered to fall a sacrifice
 “ to the king, all other bishops would fall
 “ with him ; nor, after such an example,
 “ would any one ever have courage to resist
 “ the

V. Hist. Qua-
 dripartitam.

“ the will of his prince : and thus the state BOOK III.
 “ of the catholick church would be shaken, A. D. 1164.
 “ and the pope’s authority perish.” The conclusion was, “ that Becket should be restored,
 “ to his see in despite of any opposition ; and
 “ *that he who fought for them should by all*
 “ *means be assisted.*” The archbishop was acquainted with this determination in the most honorable and affectionate terms the pope could find ; who concluded his speech by recommending him to the abbot of Pontigni, a religious house in Burgundy, that he might there be maintained during the time of his exile ; saying, that he, who had hitherto
 “ lived in affluence and delights, should now
 “ be taught, by the instructions of poverty,
 “ the mother of religion, to be the comforter
 “ of the poor when he returned to his see :
 “ wherefore he committed him over to one
 “ of *the poor of Christ*, from whom he was
 “ to receive, not a sumptuous, but simple
 “ entertainment, such as became a banished
 “ man, and a champion of Christ.” Being thus dismissed, he immediatly retired into the convent assigned for his residence : but when he was there, he thought it proper to wear the habit, as well as to conform himself to the life of a monk, and desired to receive one from his Holiness, who accordingly sent it with his blessing. The reason given for this by one of his followers is, that almost
 all the archbishops of Canterbury had been monks, and, when any of them was not of

Alanus in
 Quadrilogo,
 l. ii. c. 13.

BOOK III. that profession, some misfortune had been observed to fall on the kingdom: but it may rather be supposed that he did it to increase the opinion of his sanctity, and flatter the monks, who in England maintained his cause with much more affection than any of the secular clergy. It is very observable, that, notwithstanding the confession he had made to the pope and the cardinals, in the manner here related, of his election to the see of Canterbury having been uncanonical, yet, in his answer to the letter which was soon afterwards written to him by all the bishops of England, he endeavoured to justify it from that imputation; denying *that any injury had been done therein to the church*; and affirming that it was *lawfully and quietly made, with the consent of all those who had a right to elect him*. So different were the publick professions of this man from his private declarations!

Hist. Quadrip. l. ii.
c. 14.
Gerv. Chron. sub ann.
1165.

Upon the report made to Henry of the proceedings at Sens, that prince thought it necessary to exert his authority, with its utmost terrors, against the rebellion of Becket, and to make Alexander himself, who so arrogantly abetted that rebellion, feel the effects of his anger. He therefore confiscated all the archbishop's estate, and sent an order to the bishop of every diocese to seize the revenues of any of the clergy who had followed him into France, or had otherwise acted in derogation to the honor and dignity of the crown conjointly with him, or for his sake. All correspondence with

A. D. 1165.

with him was declared to be criminal; and it ^{BOOK III.} was forbidden to pray for him publickly in ^{A. D. 1165.} churches, which some historians of those times have mentioned with horror, as the greatest of cruelties: but, if this restraint had not been laid on the intemperance of their zeal, the monks would have turned their very prayers to sedition. An order was likewise sent forth, ^{V. Epist. 13.} to stop Peter-pence from being paid to the ^{15. l. i.} pope. In all these acts of government, nothing was done by the king beyond what justice, and the obligation he was under to maintain the laws of his kingdom, demanded and authorised. But he did not stop here. For, ^{V. Epist. 79.} about the beginning of the year eleven hundred ^{l. iii.} and sixty-five, he banished out of England, by a general sentence, all the relations, friends, and dependents of Becket, to the number of near four hundred persons, without distinction of sex or age; not excepting infants at the breast, if we may give credit to the words of Becket himself in several letters on that subject. Their lands and goods were confiscated; and the adult persons among them were compelled to take an oath, before they departed, that they would go to the archbishop, where-soever he was; which was done in order to load him with the charge of their maintenance, and also to grieve him with the spectacle of the distress they endured on his account. Lord Chief Justice Hale, in his history of the Pleas ^{See p. 82.} of the Crown, after giving some examples of ^{c. 11.} the uncertainty of treasons at common law, during

BOOK III. during the early times of our government, makes this observation: "By these, and the
 A. D. 1165. "like instances, that might be given, it ap-
 "pears, how uncertain and arbitrary the crime
 "of treason was before the statute of 25 Ed.
 "III. whereby it came to pass, that almost
 "every offence, that was or seemed to be a
 "breach of the faith and allegiance due to
 "the king, was by construction and con-
 "sequence and interpretation raised into the
 "offence of high treason." Nor was the
 penalty better ascertained than the crime;
 but varied in different reigns. As to the
 practice of involving the innocent in the punish-
 ment of the guilty for certain offences, which
 appears to have prevailed in the days of Henry
 the Second, I shall have occasion to speak of
 it more fully hereafter; but will only observe
 in this place, that when Becket complained of
 it so bitterly, as we find he does, in his letters,
 the answer to him might have been, that, for
 much lighter offences against the royal dignity
 than he had committed, severities of this nature
 were supposed to be due from the justice of
 the kingdom: since he could not but know,
 that one of the king's chief justiciaries, Richard
 de Lucy, had threatened the bishops of the
 province of Canterbury, that *all their relations*,
 together with themselves, should in like man-
 ner be banished, if they did not obey the royal
 mandate to elect him archbishop. There is
 great reason to believe that he himself was
 consenting to this terrible menace; and if he
 was,

V. Epist. 126.
 e Cod. Cor-
 ton. in Ap-
 pendix.

was, it precluded him from the right of com-
 plaining in this instance; but nothing can
 justify the proceeding itself; for that which
 is contrary to humanity and natural justice
 cannot be warranted by any authority of law
 or custom.

In excuse of the king, it may perhaps be sup-
 posed, that the cruelty of extending the general
 sentence of banishment, against the relations
 and friends of Becket, even to women and in-
 fants at the breast, did not arise from the in-
 tention of Henry himself, but from the bar-
 barous zeal of the officer who executed his
 orders; as it frequently happens, that, when
 kings are angry, the ministers of their anger
 are much more inhuman than they. Ranulph
 de Broc, who had the principal care of this bu-
 siness, was a man of a cruel nature; and Ger-
 vase of Canterbury, who describes him as such,
 seems to impute these barbarities chiefly to his
 hatred of the archbishop, whose enemy he had
 been for some time. But admitting that he
 went beyond his commission, and that Henry
 was induced to give him such a commission
 by the practice of those days, yet they who
 advised that prince, under a notion of law or
 prerogative, to depart so much from the hu-
 manity of his own disposition, gave him bad
 counsel, and made him greatly dishonor the
 justice of the cause he maintained against Be-
 cket. There is a letter preserved among those
 of that prelate, without any name to it, but
directed to King Henry from one of his friends;

BOOK III.
 A. D. 1165.

Gerv. Chron.
 sub ann. 1165.

V. Epist. 48.
 l. i.

by

BOOK III.

A. D. 1165.

V. Epist. 48.
l. i.Hist. Qua-
drip. l. ii.
c. 14.Chron. Norm.
sub ann.
1165.
See also Pere
Daniel.

by which it appears that the writer had represented to him, with an honest freedom, the iniquity of proscribing so many innocent persons for the archbishop's offence; *especially as some of them were no way related to him in blood.* We also find that this remonstrance (which I imagine was made by the bishop of London) had been graciously heard by the king, who acknowledged the truth of it, and promised to act more favorably towards them; at the neglect of which promise his friends expressed surprize and uneasiness, imploring him to mitigate the severity of his edict, *as he had given his royal word so to do.* It would have been every way better for him, if other counsels had not finally prevailed over those of this wise and faithful monitor: for the innocent sufferers met with pity and kindness in their exile. Some of them, having been absolved, by the authority of the pope, from the oath they had taken to go to the archbishop, resided in Flanders, where they were supported very hospitably by the friends of that prelate. The king of France, the queen of Sicily, and many other persons of distinction, took care of the rest. So that the obstinacy of Becket was not conquered, nor his distress much augmented; but his malice was exasperated, and far better justified in the eyes of the world, by the cruelty of this unjust and unprofitable act.

Things were now apparently tending to a rupture between the kings of France and England. The behaviour of Louis with relation

to

to Becket was most offensive to Henry. And he had been greatly disgusted on another account. For the French monarch, in the year eleven hundred and sixty four, had married one of his daughters by Eleanor to his brother in law, the earl of Blois, and presently afterwards had invested him with the office of Seneschal, without any regard to the right of the earls of Anjou, to whom it belonged. The taking away an hereditary dignity from a family with which he then was in peace, and giving it to another so nearly related to himself, was a most violent act of arbitrary power.

The empress Matilda, apprehensive of her son's being engaged in a war with the king of France at this time, when a great insurrection was begun by the Welsh, sought to make up their differences by the mediation of the pope, though she could not but know that there was need of a mediator between her son and that pontiff. He accepted of the office, and after some negotiation prevailed on the two kings to have an interview at Gisors, in the Easter week of the year eleven hundred and sixty five.

The first point of which they treated was the affair of Becket: and as Henry would not be persuaded to recede from his demand of an entire submission on the part of that haughty prelate, nor Loujs from the assurance he had given him of protection, the discontent on each side continued very strong. Yet the conference did not end in open hostilities; Henry thinking it prudent to dissemble his resentment, in

BOOK III.

A. D. 1165.

V. Johan.
Sarisb. epist.
31.

con-

BOOK III.

A. D. 1165.

V. Hist. Quadripartitam.

consideration of the unsettled state of his kingdom. As for the restitution of the office of Seneschal, which he justly demanded, it was not agreed to, not absolutely refused, but left to a future decision. Perhaps he might think it of less consequence to him, in his present situation, to carry this point, than to sooth the earl of Blois, by permitting him to enjoy it, as a temporary benefit, without any departure from the maintenance of his own claim. A conference was also proposed between him and the pope; to which he consented, but conditionally, that Becket should not be present. The archbishop, hearing of this, entreated Alexander, by letters, not to agree to the interview on that condition; telling him, that, without an interpreter as skilful as he was in the king's language, his Holiness would be in danger of being deceived by the subtilty of that prince. Whereupon the pontiff sent back this message to Henry, "that it had never been heard of in any age, that the church of Rome, at the command of any prince whatsoever, had driven any person out of her train; especially one who was banished for the cause of justice: but that *it was a privilege and authority granted from above to the apostolical see, to succour the exiled and the oppressed of all nations against the rage of their sovereigns.*" Having thus avoided a conference, which his sense of the obligations he had to Henry, and the bad return he was making, must have rendered extremely disagreeable to him,

him, he set out for Rome, which was opened BOOK III.
to him by the death of Victor, and a confederacy A. D. 1165,
of many cities of Italy in his favor. Not did
Henry remain in France; but, as soon as he
had secured himself against any immediate dan-
ger of a war in those parts, he hastened back to
his kingdom, where his presence was now be-
come very necessary. For not long after the
peace he had concluded in South-Wales, with
Rhees ap Gryffyth, that prince's nephew
Eneon having been murdered in his bed, by
a Welshman of his own household, Rhees
conceived a suspicion that the earl of Chepstow
and Pembroke had procured the assassination,
out of revenge for the hostilities committed
against him the year before, or used this as
a pretence for breaking the oath of fealty,
which he had taken to Henry, by making an
incurfion into the lands of that earl. The at-
tack being unexpected, he met with little
resistance, and in a very short time recovered
all Cardiganshire, except the castle of Cardigan,
then called Abertivy. I find no reason to
believe that the earl was concerned in the
murder of Eneon. The Welsh were ac-
customed to assassinate one another, upon any
quarrels among them, or the bare suspicion
of an injury: and it was very improbable that
this nobleman, who knew that his sovereign
never pardoned a crime of that nature, should
dare to commit it, at the hazard of exciting
a rebellion in that country, so lately pacified.
But, in reality, the ambition of Rhees ap
Gryffyth

See the Welsh
Chronicle
under the
years 1163,
1164, 1165;
and Brompton's Chron.
under the
year 1164.

BOOK III. Gryffyth was the motive of this revolt. He
 A. D. 1165. could not behold the royal seat of his ancestors, their ancient palace of Dynevowr, in which he was suffered to reside, without reflecting that the kingdom, they had possessed for some ages, was usurped by foreign invaders. The very walls of it seemed to reproach him with a degenerate and servile submission: but, above all, the high esteem and fond affection which his countrymen continued to shew him, called upon him, as he thought, to set them free; and he had a spirit always ready to answer that call, believing that on their liberty he should build his own greatness. Having therefore a fourth time drawn the sword against Henry, and with so prosperous a beginning, he carried his arms, from his new-acquired territories in the province of Cardigan, into that of Pembroke, attacked the Flemings settled there, and ravaged all their country; from whence he returned to Dynevowr, with great spoils and much honor, about the end of the year eleven hundred and sixty-four. During the winter he negotiated with all the other Welsh princes. He reproached them with their cowardice and pusillanimity. He shewed them how favorable the conjuncture then was for an attempt to deliver themselves and their country from the oppression of foreigners; dissensions in England between the church and state; an archbishop of Canterbury exiled; his cause supported equally by Rome and by France; a great probability of a war
 between

between Louis and Henry, on that and other accounts. These instigations so inflamed them, and they were so animated by the success which had attended his enterprises, that not only Owen Gwyneth and all his sons, but his brother Cadwalladar, who had particular obligations to Henry, and the princes of Powis-land, the sons and the nephew of Madoc ap Meredyth, on whose affection he most depended, now took up arms to regain their national independence.

BOOK III.
A. D. 1165.

Provision having been made for levying soldiers against Rhees ap Gryffyth, in the parliament held at Northampton the year before, the king, upon his arrival in England from Normandy, found some forces assembled, with which he marched into Flintshire, where David, one of the sons of Owen Gwyneth, had made grievous devastations. The king was apprehensive that the Welsh would besiege Ruthlan castle, and therefore hastened to secure it: but he found, when he came thither, that, after having ravaged the open country, they had passed, like a sudden tempest, and were retired, with their plunder, to the vale of Cluyd in Denbighshire: whereupon he contented himself with strengthening the garrisons of all his castles in Flintshire, and then returned into England, to augment his forces. For he knew how great a war he had to sustain, and how difficult he should find it to vanquish so courageous and so warlike a nation, now, when they were united, which they never

V. Stephanid.
in vita S.
Thomæ.

See the Welsh
Chron. and
Brompton's
under the
year 1165.
Giral. Cambr.
Itiner. l. ii.
c. 12.
Neubrig.
l. ii. c. 18.

BOOK III. had been since their first confederacy against William Rufus. That he might be able to oppose this formidable league, he not only raised an army of chosen men out of all his British territories, but brought over many troops from Normandy, Aquitaine, Anjou, Bretagne, and Flanders. With this combined force, the greatest that had ever been drawn together against Wales, by any king of England, he marched to Powis-land, which he entered at Oswestry, and there encamped for some time, waiting to see what effect the terror of his approach would have on his enemies, and whether some of their chiefs, particularly the princes of Powis-land, whose family had been long distinguished by their fidelity to the English, might not leave their confederates. But all were constant in the part they had taken; all were intrepid; all were actuated with an equal and ardent desire of recovering their country from the possession of strangers, and shaking off from their necks the dishonorable yoke of a foreign domination. The whole power of North-Wales was collected in great multitudes, under Owen Gwyneth and his brother Cadwalladar; that of South-Wales under Rhees ap Gryffyth; that of Powis-land under Owen Cyveliock, and the five sons of Madoc ap Meredyth; to whom were joined the Welsh inhabitants of the country situated between the Wye and the Severn, under two sons of Madoc ap Ednerth, who governed as much of it as was not possessed by the English;

lish; with some dependence upon the princes of Powis-land and South-Wales. All these assembled at Corwen in Edeyrneon, a part of Merionethshire according to the present division of Wales, but belonging at that time to Powis-land; and they composed such an army, as, aided by the natural strength of the country, was not inferior to that brought against them by Henry. When this monarch had intelligence of their being so near him, he advanced to the river Ciereoc, and, for fear of ambuscades, commanded the woods, that covered the banks on both sides of it, to be cut down. But, while this was executing, a body of the enemy, without any orders from their leaders, fell on his vanguard, in which he had posted all the flower of his army. A bloody action ensued: the Welsh fought bravely; but Henry at last gained the pass, and came to the mountain of Berwin, one of the highest in Wales, at the foot of which he encamped. The Welsh hung, like a dark cloud, at the top and on the sides of it, waiting an occasion to fight the king with advantage, who found it impracticable to attack them in the post they had taken, and was very uneasy in his own. For the flying parties of the enemy cut off his provisions; and his soldiers, being afraid to stir from their camp, were soon distressed by a great scarcity both of victuals and forage. While he was consulting what measures he should take to force the Welsh to a battle, there fell on a sudden such excessive and violent

BOOK III.

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lent rains, followed by such inundations and torrents of water, pouring down from the mountains into the vale where he lay, that he was obliged to retire, and give over his design of maintaining himself in those parts, or driving the enemy from their station. But, to punish them as much as lay in his power, he commanded the eyes of the hostages, they had formerly given him, to be now put out, in revenge of their violation of the faith they had plighted to him in his palace of Woodstock. Among these were two sons of Rhees ap Gryffyth, and two of Owen Gwyneth.

V. Dionys.

Halicarn.

l. iv. c. 3.

Plutarch. de

Virtute Mili-

tari, p. 244.

t. ii.

V. Grotium

de Jure Belli

& Pacis, l. ii.

c. 21. l. iii.

c. 4.

Putendorf,

l. viii. c. 2.

The putting hostages to death in some cases has been thought agreeable to the law of nations; and examples of it are found in the history of the Romans and other civilized people; but the law of nature, and the mild dictates of the Christian religion, which are the best interpreters of that law, condemn and forbid it. Yet the usage of the times seemed to authorise Henry, and an unhappy necessity almost compelled him, to strike a terror by this means, into the chiefs of the Welsh; that he might secure his own people, who were exposed to their inroads, from which no regard to their treaties or their oaths was able to restrain them, and in which they committed the most horrid barbarities. How averse he was to it we may judge from his forbearance in respect to the sons of Rhees ap Gryffyth, who had twice rebelled since the year eleven hundred and fifty-seven, when their father had

made

made them the pledges of his fidelity; but they had not suffered for this treason till this third insurrection, which was more unprovoked, and more pernicious to the English subjects in Wales, than either of the former. If the king had still spared them, the use of taking such hostages would have been lost for the future; and it was not easy to find any other securities, by which a nation so barbarous, and so prone to rebellion, could have been hindered from continually breaking the peace.

BOOK III.
A. D. 1165.

Dr. Powell's
Welsh Chron.
under the
year 1166.

After some necessary refreshment had been given to his army, Henry resolved to revert to the plan of operations, upon which he had acted so successfully in the year eleven hundred and fifty-seven; that is, to convey his troops by sea, and infest all the maritime parts of Wales, without attempting to penetrate into the heart of the country. With this view he went to Chester, and continued there some time, till all his navy, and some ships that he hired from Ireland, were brought together on that coast. But on a sudden, in the midst of these preparations, he broke up his camp, and discharged both army and fleet. It may be presumed, that an apprehension of some rebellion breaking out in his foreign dominions, or of some attack being intended against those countries, while he should be embarrassed with this war, was the cause of such a precipitate alteration of his measures, for which no reason is assigned by the contemporary historians. This fear may have been

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A. D. 1165.

Dr. Powel's
Welsh Chron.
under the
year 1166.

V. Epist. 40.
l. i.

founded upon a secret intelligence he then received, and which was never made publick. It was certainly no light matter, that could prevail upon him thus to leave his dominions in Wales exposed to the fury of the insulting and exasperated Welsh. The consequences of it were pernicious to his reputation and interest. For Rhees ap Gryffyth laid siege to the castle of Abertivy, and took it: by which having completed his conquest of Cardiganshire, he turned his arms against Pembroke-shire, then called Dyvet by the Welsh, and made himself master of the fortress of Cilgeran, one of the best in all Wales, which the English and Flemings, who belonged to that province, twice endeavoured to recover, but failed in their attempts. And, not long afterwards, the castle of Basingweark was taken and demolished by the army of North-Wales under Owen Gwyneth. The bad success of this war appears to have been a matter of great triumph to Becket: for, in a letter he wrote to the bishop of Hereford about the end of this year, after reminding that prelate of the injuries he had suffered, *when in his person Christ was again judged before the tribunal of a prince*, he threatened the king with the severest judgements of God for these offences, and insultingly asked, with expressions borrowed from the scriptures, “ *Where are now his wise men? Let them come forth, and declare to him what the Lord of hosts has thought concerning England. His wise men are become fools:* “ *the*

"the Lord has sent among them a spirit of giddiness; they have made England reel and stagger like a drunken man!"

BOOK III.

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Besides these losses in Wales, fortune had now given another mortification to Henry.

The agreeable hope that the princess, whom his eldest son had married, might happen to inherit her father's crown, which had long amused his ambition for the aggrandisement of his family, was defeated this year by the birth of a son to the king and queen of France. How much uneasiness had been felt by Louis himself, from apprehensions of a disputable succession to his kingdom, before this event, we have a remarkable proof in a letter written to

Diceto Imag.
hist. sub ann.
1165.

Becket, while that prelate was still in England, by John of Salisbury, his agent at the French court. He there tells the archbishop, among other particulars, which had passed in a secret audience he had obtained of the king, that this monarch being informed by him of the health of the young princess, his daughter, espoused to the prince of England, had made answer thereupon, *that he heartily wished the angels had already received her into paradise.* John replied, *that by God's mercy she would hereafter be there, but before that time she would make the happiness of many nations.* The king said, *that this was possible indeed to God; but it was far more likely that she would be the cause of many evils.* And, undoubtedly, if he had died without a son, her pretensions, and those of her husband in virtue of his marriage, might have

V. Epist. 24.

l. i.

BOOK III. occasioned a civil war in France; which probably would have ended in the settlement of the kingdom upon the house of Plantagenet: but, though the disappointment of this hope might be unpleasing to Henry, it was happy for England; as the certain consequence of the two kingdoms being under one sovereign would have been the subjection of the interests, if not of the laws and government of this island, to those of France. Some compensation was given to him for the prospect he had lost, by a proposal of marriage now made to his eldest daughter Matilda, from Henry, surnamed the Lion, duke of Saxony and Bavaria, to whom, in the lustre of his family, and extent of his dominions, few kings were equal. On the side of his mother he could reckon six emperors among his progenitors, and by the male line he descended from the noble house of Este, one of the most ancient in Italy. Azzo the Fourth, a prince of that family, had come into Germany, about a hundred years before, and married the daughter of Guelph the Third, count of Ravensburg and of Altorff; by whom he had a son, who, upon the death of his uncle, in the year of our Lord one thousand and fifty-five, inherited all the territories belonging to those counties; and, about fifteen years afterwards, obtained the investiture of the dutchy of Bavaria from the emperor Henry the Fourth. The dutchy of Saxony was also acquired by a marriage, which Henry the Proud, great grandson to Azzo, contracted

Diceto Imag.
hist. sub ann.
1165.

V. Annales
Padorb. &
Annales
Gori.

contracted with Gertrude, the only child of the emperor Lotharius the Second. Upon the de-
cease of Lotharius, in the year eleven hundred and thirty-eight, his son-in-law aspired to the imperial crown: but Conrade duke of Franconia being preferred to him, he was put under the ban of the empire, and forced to compound for the recovery of all his other dominions, confiscated in this contest, by yielding Bavaria to the margrave of Austria. His son, Henry the Lion, recovered that dutchy, by a decree of the diet under the emperor Frederick, in the year eleven hundred and fifty-three; but not so entire as his father had possessed it. Nevertheless both that and Saxony were much more extensive in those days than at present; and besides these he had two dutchies, which no longer subsist, Westphalia and Angaria; in the latter of which were contained the provinces of Brunswick and Luneburg. Great conquests had been likewise made by the valour of this prince, in the countries north of the Elbe, upon the Venedi, the Sclavi, and the Vandals; who, together with their religion, still retained the martial spirit and fierceness of their ancestors. Many of these he drove out from the dutchy of Mechlenburgh, and repopled the country with Saxons and other Christians: the rest he forced to submit to his government, or to that of the king of Denmark, whose arms he assisted. The renown he gained by these exploits was so widely diffused, that the Greek emperor, Emanuel Com-
nenus,

BOOK III.

A. D. 1165.

BOOK III. **nenuſ**, ſent him an embaffy, to congratulate him upon them, and deſire his alliance. As to his perſonal qualities, I find this character of him in Radevicus, a contemporary German hiſtorian, who, not being his ſubject, may be reaſonably ſuppoſed to have given it impartially. “ He was endowed by nature (ſays that author) with a very agreeable countenance, a very ſtrong body, and a much ſtronger mind. From his earlieſt youth, he did not give himſelf up to be corrupted by ſloth and luxury ; but, conformably to the cuſtom of the Saxons, employed all his time in exerciſes of chivalry, among the nobility of his own age ; and, though he ſurpaſſed them all in glory, was yet beloved by them all. He contended with the braveſt in valour, with the moſt modeſt in modeſty, and with the moſt innocent in the integrity and ſobriety of his manners, ſeeking rather to be than ſeem good. But the virtue he moſt excelled in was ſtrict and ſevere juſtice ; inſomuch that he was a terror to all bad men, and moſt dear to the good, by the reſpect he cauſed to be paid to his laws.”

... From the picture of him here drawn he appears to have been a prince of the firſt rank in merit, as well as power : yet, however deſirable an alliance with him might be in all theſe reſpects, there was one objection againſt it of no ſmall weight, namely, that he was conſidered, both by the Engliſh and French, as a ſchiſmatick, for taking part with the

the two antipopes, Victor and Paschal. It ^{BOOK III} is probable that this circumstance would have prevented the king from agreeing to the match, if he had not been greatly incensed against Alexander, and desirous to procure to himself new alliances, which he might safely depend on, in case that his Holiness should be driven, by the violence of Becket, to further hostilities. But these motives induced him to accept the duke of Saxony's proposal with pleasure. It was brought to him by ministers sent from the ^{Diceto, sub} emperor, who was cousin-german to that ^{ann. 1165.} prince; and they were ordered to propose, not only this marriage, but a confederacy between their master and the king. At the head of the embassy was the archbishop of Cologne, the emperor's favorite, and principal minister. An ambassador of such dignity had never before been seen in England. He was therefore entertained with extraordinary honors. All the nobility went out in great pomp to receive him, except the earl of Leicester, who refused it, on account of the excommunication he had been laid under by Alexander, as a chief abettor of the schism. It seems strange that this lord should thus alone, and in opposition to all the other peers, offend the king, and the royal family, in so tender a point. There is not the least intimation, either in the history of those times, or the epistles preserved to us, that he had been soured against Henry by any act of that monarch. This singularity must have been there-

BOOK III.

A.D. 1165.

therefore the effect of a conscientious regard to religion : and from hence it may, perhaps, be not unjustly inferred, that he would not have taken a leading part in the proceedings against Becket, if he had not thought them agreeable both to the law of the land and the law of God. It may be presumed that he disapproved both of the match with the duke of Saxony and the confederacy with the emperor : but it does not appear that he opposed them ; or that any one of the prelates objected against them. On the contrary, we find, that not only the young princess was betrothed to the duke, and the league with Frederick agreed to, without contradiction, but soon after the return of the archbishop of Cologne the following letter was sent to that prelate by the king. “ I have long wished that some just

V. Epist. 69.
L. i.

“ occasion might be given me to leave the
“ party of Pope Alexander and his perfidious
“ cardinals, who presume to maintain that
“ traitor, Thomas, sometime archbishop of
“ Canterbury, against me. Wherefore *by the*
“ *advice of all my barons, and with the consent*
“ *of my clergy*, I now intend to send to Rome
“ some principal men of my kingdom, namely,
“ the archbishop of York; the bishop of London, the archdeacon of Poitiers, Richard
“ de Lucy, and John of Oxford, who publicly and manifestly, in behalf of myself
“ and the whole kingdom of England, and of
“ all the other territories under my government, shall propound and denounce to Pope
“ Alexander

" Alexander and his cardinals, that I expect BOOK III.
 " they shall no longer support that traitor, A. D. 1165.
 " but so rid me of him, as that I may, with
 " the advice of my clergy, establish another
 " in the church of Canterbury; and shall
 " further require that they revoke and annul
 " whatsoever he has done. This also shall
 " they demand, that, in their presence, the
 " pope shall cause an oath to be publicly ta-
 " ken, that he himself and his successors shall
 " for ever maintain (as far as in them lies)
 " to me and all my successors, the royal
 " customs of my grandfather, Henry the First,
 " unshaken and inviolate. But, if it shall so
 " happen that they refuse any one of my de-
 " mands, then neither I, nor my clergy, will
 " any longer pay any obedience to Alexander;
 " nay, we will openly oppose him and all
 " his adherents: and whosoever in my do-
 " minions is found to persist in a wilful ad-
 " herence to his party shall be driven into
 " banishment. We therefore entreat you,
 " as our dearest friend, that you will not fail
 " to send us speedily brother Ernold, or brother
 " Randolph, of the order of the knights hos-
 " pitallers, who, on the part of the emperor
 " and yourself, may give my ambassadors a
 " safe conduct, to go and return through the
 " emperor's territories."

That Henry should thus, *by the advice of*
all his barons, and with the consent of his
clergy, declare a resolution so contrary to all
 their former proceedings, with regard to the
election

BOOK III. election of Alexander, is very surprising. It
A.D. 1165. seems to shew, that the whole nobility, and a majority even of the clergy in England, thought the acknowledgement of a pope rather a matter of policy, than of right or religion, and believed, that they were at liberty to withdraw their obedience, if he, whom they had acknowledged, presumed to oppose the customs of the kingdom. But how these notions could agree with that veneration for the papacy, or that abhorrence of schism, which in other instances they professed, and testified by their conduct, it is not easy to discover.

V. Baronii
 annales.
 Francisci
 Pagi Breviar.
 pont. Roman.

Epist. S.
 Thom. 1. i.
 epist. 70, 71.

Of the five ambassadors named in the king's letter here recited, two only were sent; namely Richard of Ivelchester, archdeacon of Poitiers; and John of Oxford. They found at Wurtzburg (or Wittenberg) a diet assembled for the more solemn acknowledgement of Guido de Crema, who was called by his adherents Pope Paschal the Third. The emperor himself, and, after him, all the princes and bishops there present, swore to obey the said Paschal, and never to acknowledge Orlando, called Alexander, or any successor elected by those of his faction. It was also decreed, that whosoever should afterwards succeed to the empire, should bind himself by an oath to support the imperial dignity, and adhere to the engagements that were taken in this diet. Lastly, it was enjoined, that, within six days after the dissolution of the council, the same oath should be tendered to all orders and ranks
 of

of men throughout the whole empire; which whosoever refused was to be deemed a public enemy. Towards the end of these proceedings Richard of Ivelchester and John of Oxford arrived at Wurtzburg; and, if we may believe the emperor's letters patent (soon afterwards published), did there, in the name of their master, take an oath, upon the reliques of saints, *that the king of England and his whole kingdom would faithfully adhere to the emperor's party, and constantly acknowledge the pope whom he had acknowledged, without doing any thing further to support the schismatick Orlando.* But, though in these letters we find no mention made of any condition having been annexed to the oath, there is reason to think that the ambassadors took it conditionally, in case that Alexander should refuse to give the king satisfaction with relation to Becket. For so the letter to the archbishop of Cologne explains his intention. We have also a letter from the archbishop of Rouen, in which that prelate most solemnly assures the pope, *that neither by himself, nor by his ambassadors, had the king given any oath or promise to the emperor, that he would acknowledge the antipope.* Yet this expression, I presume, must be understood to mean only, that no unconditional oath or promise had been given. For the bishop of London, in a letter to Alexander, which he wrote to vindicate Henry against this charge, seems no otherwise to deny it. "The king (he says) asserted, " that

BOOK III.

A. D. 1165.

V. Epist. S.

Thomæ, 70.

71. l. i.

V. Epist. S.

Thomæ, 102.

l. i.

Epist. 38.

l. i.

BOOK III. "that he had not withdrawn his regard from
A. D. 1165. "that pontiff, nor ever purposed to do it:
 "but, *so long as his Holiness would act to-*
wards him with a paternal affection, he
 "would love him as a father, and obey his
 "injunctions, *saving his own royal dignity, and*
that of his kingdom." The same conditions
Epist. 41. are expressed in a letter written by the king
l. ii. to the college of cardinals, as an answer to some
 complaints the pope had made on this subject.
 He there assures them, "that it was his most
 "heartly desire to persevere in the integrity
 "of love to that pontiff, if *his Holiness would,*
 "in return, maintain to him and his kingdom
 "the same honour and dignity as holy and vene-
 "rable popes of Rome had maintained to his
 "predecessors."

It is a very wonderful thing, that the emperor's letters patent, published to the whole empire, should represent an engagement as absolute, which was only conditional, and dependent on a contingency which might never happen. But it is still more unaccountable, that Henry's ministers should have so exceeded their orders, as to have absolutely engaged him, without his consent, in an act of such importance; or that, if they had done so, he should not have punished them, on their return into England: whereas it appears, that they continued to enjoy his favor and confidence. Perhaps they had acted upon secret instructions, which he thought proper to deny to all but themselves. However this may
 have

have been, it is sufficiently evident, that his honor suffered much from this transaction. BOOK III.
A. D. 1165.

For he did not frighten Alexander into any compliance with his demands; nor yet did he quit him, upon their being rejected; as, by his letter to the archbishop of Cologne, he had promised to do. It does not even appear, that he ever proposed to that pontiff the oath mentioned therein: nor did his ambassadors go from Wurtzburg to Rome. This variation in the purposes and conduct of a prince, whose mind was naturally steady, must unquestionably have been owing to some secret cause, which is hidden from us by our ignorance of the anecdotes of those times.

About the beginning of the year eleven hundred and sixty-six a synod was held at Oxford, in the presence of Henry, for the examination of some German men and women, about thirty in number, who four or five years before had come over into England from some part of the lower Germany, either to shun a persecution, or to propagate their opinions, which differed from those of the established religion. At the head of them was one Gerard, to whose guidance they implicitly submitted their minds, he having some learning; whereas they all were illiterate and ignorant rusticks. For some time after their landing, as their manners were perfectly innocent, and they were cautious of any publick declaration of their tenets, no notice was taken of them by the clergy or government. A. D. 1166.
Neubrigensis, l. ii. c. 13.
Diceto Imag. hist. sub ann. 1166.

BOOK III. profelyte, who was a woman of low rank;
A. D. 1166. yet this gave an alarm, and some enquiring more curiously into their doctrines, they were taken up and imprisoned while the king was abroad. Being now in England, and at leisure to consider this affair, he would neither dismiss nor punish them unexamined. A synod of bishops was therefore convened by him at Oxford, before which they were brought; and being ordered to make a solemn profession of their faith, they answered by Gerard, their teacher, who took upon himself to speak for them, *that they were Christians, and venerated the doctrines of the apostles.* But when they were examined particularly upon the several articles of faith, they answered (says William of Newbury) perversely and erroneously concerning the sacraments, speaking with detestation of baptism, of the eucharist, and of marriage. When they were pressed with texts of scripture in opposition to these notions, they said, *they believed as they were taught, but would not dispute about their faith.* Being admonished to repent, and return to the body of the church, they received those exhortations with a determined contempt. When they were threatened with punishment, they smiled, and answered, *Blessed are they who suffer persecution for righteousness' sake; for theirs is the kingdom of heaven.* The bishops therefore condemned them as obstinate hereticks, and delivered them over to the king for corporal punishment. Henry had no rule, in the practice

practice or laws of his kingdom, to direct him BOOK III.
 in the manner of punishing such offenders. A. D. 1166.
 For William of Newbury observes, that no L. ii. c. 13.
 heresy had ever arisen in England, or been
 brought into it from abroad, since the expulsion
 of the Britons from that part of the island so
 called by the Saxons. But against the Albi- Ibidem, c. 15.
 geneses (of which sect the abovementioned
 historian supposes these to have been), the
 council of Tours had made a canon, forbidding
 all persons, under pain of incurring the highest
 censures of the church, to harbour or protect
 them, or to hold with them any intercourse of
 buying or selling, *that, by being deprived of*
all the comforts of human society, they might be
compelled to repent, and forsake their errors.
 Moreover, all catholic princes were exhorted
 and enjoined by the council, to imprison any
 of them whom they discovered in their territo-
 ries, and confiscate all their possessions. Henry,
 no doubt, was apprised of these canons by his
 bishops, and he acted conformably to that cruel
 spirit by which they were dictated; a spirit
 very different from the humanity and benignity
 of his own nature. He did not indeed remand
 these persons back to prison, but he commanded
 them all to be branded in the forehead with a Neubrigenf.
 hot iron, and then to be publicly whipt and l. ii. c. 13.
 expelled out of Oxford. He likewise forbid
 all his subjects to receive them in their houses,
 or give them any relief. Their teacher, as the
 most culpable, was distinguished from the rest
 by being branded in the chin as well as the
 forehead.

BOOK III

A. D. 1166.

forehead. When they were led to their punishment, they went joyfully; their teacher going before them, and singing these words of the gospel, *Blessed are ye, when men shall hate you.* The sentence was executed with the most barbarous rigour. Their cloaths were cut off as low as their waists; their backs were torn with stripes, unmercifully inflicted; and they were turned out naked and bleeding into the open fields, in the midst of winter; the cold of which, and the want of all the necessaries of life, soon miserably killed them; none affording them any succour, or even shewing them any pity. But the English woman, whom they had persuaded to embrace their opinions, forsook them, for fear of the instant punishment, and escaped it: nor, till long afterwards, did any sectaries, who dissented from the established faith of the church, venture to come into England, lest they also should perish in the same lamentable manner as these unfortunate persons.

V. J. Conradi
Fuesilini Hel-
veto-Tigurini
Dissertatio de
Fanaticis Se-
culo XI. in
Italia detec-
tis, & ejus-
dem epil. ad
archiepisc.
Cant. de Fa-
naticis Se-
culo XII. in
Anglia reper-
tis, &c.

A learned author, who has lately investi-
gated this matter with great accuracy and saga-
city, believes that the heresy, with which
Gerard and his disciples were infected, was
that of the *Cathari*, or Puritans, a fanatical
sect, who came from Greece into Italy, and
were first discovered in the Milanese about the
middle of the eleventh century, from whence
they spread into France and many other coun-
tries, where they were called *Albigenses*, *Pa-
tarenis*, and *Publicans*. These have been very
improperly

improperly confounded by historians with the Vaudois and Waldenses, who differed but little from the doctrines of the reformed churches in our days: whereas the *Cathari* were imbued with opinions destructive of true Christianity, if we can give any credit to the accounts that are delivered of their tenets by the best contemporary authors. But even the best must, in these points, be read with doubt and caution.

This affair being thus terminated, Henry went into France, where his presence was become necessary on many accounts. The first measures he took were to chastise some of his barons in the earldom of Maine, for having disobeyed the commands of Queen Eleanor, whom he had left regent there, as well as in Aquitaine, at his last return into England; and for having confederated themselves with some nobles of Bretagne, in what they called an association for their mutual defence, but, indeed, in a conspiracy against his authority. He did not wait till he felt the dangerous effects of this new-cemented league; but drew the sword first, and, before they could receive any assistance from the Bretons, forced them all to surrender to him both their castles and persons. The seeds of sedition, which had been sown in that province, being thus crushed in good time, he next applied himself to compose the disorders which had broken out in Bretagne. The baron de Fougères, who had been the chief instrument of Duke Conan's success in the civil war between him and his

BOOK III.
A. D. 1166.

Chron. Norm.

Diceto Imag.
hist. sub ann.
1166.
Neubrigens.
l. ii. c. 18.
Chron. Norm.

BOOK III. father-in-law Eudo, had now raised a very dangerous rebellion against him; which was easily done under the government of a weak and indolent prince, in a country where the nobility had been accustomed to maintain their power by faction, and their riches by plunder. Many barons joined with him, and he had flattered himself with an additional strength from the intended insurrection in the earldom of Maine: but his chief confidence was in Louis, who, by a promise of support, had excited him to take arms. It is very probable that Becket had opened the eyes of that monarch, and shewn him the error of his conduct, in having suffered the king of England to acquire for himself the city of Nantes with its earldom, and to give the rest of the dutchy of Bretagne to Conan. Upon the discovery of such a powerful combination against him; the duke was greatly intimidated; and seeing no means of defence, but in the friendship and assistance of Henry, concluded a treaty, which had been in agitation some time, for the contracting of his only child, the Princess Constantia, with Geoffry, Henry's third son, and resigning to Henry, as trustee for that prince during the time of his infancy, the whole dutchy of Bretagne, except the earldom of Guingamp, which he reserved to support him in a state of retirement, more agreeable to his temper than a government exposed to perpetual troubles, and requiring abilities he was conscious were wanting in himself. To accelerate

berate and secure the execution of a purpose BOOK III.
 so beneficial to his family, Henry led into A. D. 1166.
 Bretagne all the troops he could assemble, and
 began his operations by besieging the castle
 of Fougères, a place very well fortified, and
 provided with all necessaries for a long de-
 fence. The baron, having laid waste the V. Epist. 163.
 whole country about it, upon the approach l. i.
 of the king, put himself at the head of a select
 body of horse, with which he cut off the small
 parties that the besieging army was obliged to
 send out to a distance for provisions or forage;
 and by sudden incursions often harassed the
 camp itself. This retarded the siege; and
 Henry, fearing that the difficulties of pro-
 curing subsistence would daily increase, re-
 solved to storm the castle. This determina-
 tion was bravely executed; he took it sword Diceto.
 in hand; the garrison were all made prisoners Neubrigens.
 of war; the castle was pillaged and demolished. Chron. Norm.
 So great a terror was struck into the minds
 of the other nobles, who had rebelled against
 Conan, by the heavy blow thus unexpectedly
 given to their chief, that immediately they all
 laid down their arms, and submitted to Henry,
 who, pursuant to the agreement between him
 and Conan, took possession of the duchy in
 the name of his son, and received the homage
 of the vassals, as administrator and governor
 of Bretagne, till the young prince and Con-
 stantia should be capable of the government.
 They were not yet old enough to consummate
 their marriage: but such premature matches

BOOK III. in the families of princes were authorised by the general practice of the times. A greater objection to this was the consanguinity of the parties; for they were cousins in the third degree; and therefore a papal dispensation was requisite to make the marriage canonical, which Henry hoped to obtain from Alexander, notwithstanding the dissension between him and that pontiff upon ecclesiastical matters. In the mean while he had the custody of the princess, as well as the administration of all her dominions.

V. Gemiti-
cent. l. vii.
c. 34.
Ord. Vital.
l. iv. p. 544.

V. Neubrig.
l. ii. c. 18.

This was the greatest acquisition that any king of England had ever made on the continent, except that of Normandy by Henry the First. It had been formerly divided into upper and lower Bretagne, under different earls, who, by the custom of Gavelkind, derived to them from the Cornish Britons, had equally shared the inheritance, at the death of Geoffry the First, husband to the great aunt of William the Conqueror. But Conan le Petit having inherited the Upper Bretagne from his mother, the daughter of Conan le Gros, and the Lower from his father, Alan le Sauvage, his daughter now succeeded to the whole dutchy reunited. This revolution, which committed the government of it to Henry in the minority of that princess, was of great advantage to the people. They had been grievously tyrannised over by the nobles; some of whom were so powerful, that, as they feared no chastisement, they disdained all subjection, and, for many years

years past, had so desolated their country with ^{BOOK III.} civil wars, or acts of cruelty and violence, that ^{A. D. 1166.} large tracts thereof were deserted. But Henry taught them to respect the authority of government, and dread its justice. It is the peculiar glory of this prince, that where-ever he gained dominion, he drove out all tyranny. The Bretons knew this, and therefore sought his protection. Nor were they deceived in their hopes. He took from the nobles many castles they had accounted impregnable, or inaccessible to his arms. The most rebellious he compelled to leave the country: others he reduced to submission and obedience; so that, after a few years of his administration in Bretagne, the whole land was repopled; and that legal and regular liberty, which he had established in his other territories, was imparted to these, which had so long been the seat of confusion and oppression.

But, while he was thus employed in the most beneficent and most laudable acts of royal virtue, humbling the proud, restraining the profligate, and protecting the feeble; Becket ^{V. Epist. 64, 65, 66. l. i.} was busied in writing to him letters of admonition and commination. In one of these he affirms, *that kings receive their power from the church*, and argues largely from this principle against the royal customs. In another he repeats some of the arguments used by Pope Paschal the Second to King Henry the First. "Who doubts (says he) that the ^{V. Epist. 65.} priests of Christ are to be deemed the fathers ^{l. i.}

" and

BOOK III. "and masters of kings and princes and all
 A. D. 1166. "the faithful? Is it not acknowledged to be
 "an instance of miserable madness, if a son
 "should attempt to hold his father in sub-
 "jection, or a disciple his master, and by un-
 "just obligations reduce that person under his
 "power, by whom he ought to believe that
 "he may be bound or loosed, not only in
 "earth, but in heaven?" He tells the king,
 "It is written, that none ought ever to judge
 "a priest but the church; and to pass sentence
 "on such does not belong to human laws: that
 "Christian princes are accustomed to obey the
 "decrees of the church, not to set their own
 "power above them; to bow their heads to
 "bishops, not to judge bishops."

V. 7th decret. It is a sentence in the decretals of Gregory
 dist. 66. c. 9. the Seventh, which Becket here quotes as
Scripture; and the whole letter is full of
 similar doctrines, delivered with an authority,
 V. Epist. 64. as if they had been the word of God. All the
 66. l. i. others, which he sent to Henry at this time,
 were written in much the same style; and the
 purport of them was (besides a general expo-
 sition of his theological principles with relation
 to the controversy between him and the state),
 to demand a full restitution of whatever had
 been taken from his church, his friends, or
 himself, with leave to return to his see, in
 freedom, peace, and security, and to do his
 duty there *without restraint*; upon which
 conditions he promised to serve the king faith-
 fully, to the best of his power, *saving the honor*
 of

of God, and of the Roman church, and the ^{BOOK III.}
rights of his order. It was not very likely ^{A. D. 1166.}

that Henry would be disposed to accept of his service under all these restrictions, or could be persuaded by any eloquence to grant him such terms. He therefore mingled threats with admonitions and arguments, telling Henry, *that* ^{V. Epist. 65.}
many pontiffs had excommunicated both kings and ^{l. i.}
emperors; and that he ought, like David and Theodosius, to humble himself beneath the corrections of such holy men, repent and amend.

All this was preparatory to the terrible sentence of excommunication, which he designed to pass on the king's person, as soon as the forms prescribed by the canons of the church would suffer him to do it. Most of the English bishops had likewise incurred his displeasure; and though he durst not attack them for what they had done at Northampton, because of the appeal which they had made to the pope, he found other pretences to bring them under the lash of his metropolitan jurisdiction. About this time he sent a letter to the bishop of Salis- ^{V. Epist. 100.}
bury, by which he suspended that prelate from ^{l. i.}
all episcopal functions, for having lately, against his and the pope's prohibition, admitted John of Oxford into the deanry of Salisbury, in the absence of some of the canons, who were in banishment with him, and for his sake. He also annulled the election, and declared John of Oxford excommunicate, for his intrusion into that dignity, and likewise for his behaviour at the diet of Wurtzburg. The bishop of Salis-

bury

BOOK III.

A. D. 1166.

Epist. 126.

l. i. c Cod.

Vatic.

See it in the
Append.

Epist. 127.

c Cod. Vatic.

l. i.

V. Append.

bury hereupon appealed to the pope; and all his brethren in England were so apprehensive of what might follow, against themselves, the king, and kingdom, that they thought it necessary to prevent it, by a previous appeal to his Holiness, which they notified to Becket in an eloquent letter, written in the name of the whole English clergy. This contained severe reproaches of his turbulent conduct, and ingratitude to the king, reminding him "how that monarch had exalted him from a low and private state to the highest degree of honor, and had subjected to his power all parts of his own dominions, which extended from the northern ocean to the Pyrenæan mountains." To this he answered, "That, before he came into the service of the king, he had a sufficient degree of wealth and dignity: That David was raised from a lower state to reign over the people of God; and Peter, from a fisherman, was made the head of the church; that the latter, by suffering death for the name of Christ, had merited a crown in the heavens, and glory upon earth: That he wished to do the same; for he was a successor of Peter, not of Augustus: That he better repayed the king's favor by obtaining for him the divine mercy through a wholesome severity, than they did who flattered and made their court to him with lies. That he did not mean to be ungrateful; and in all offences it was the intention that made the guilt. That

" God

“ God himself had said, “ If thou dost not
 “ declare to the ungodly his iniquity, and
 “ he dies in his sins, I will require his blood
 “ from thy hands.” In like manner he de-
 fended himself from other charges against him,
 with much art and much spirit. But, besides
 this general answer, he wrote a particular
 letter to Gilbert Foliot, bishop of London;
 whom he suspected to have dictated that which
 had given him so much offence, and vented
 therein all the rancour of his heart against that
 prelate.

BOOK III.

A. D. 1166.

Epist. 108.

l. i. c Cod.

Vatic. in Ap-

pend.

This occasioned a reply, which the bishop
 began by denying, in the most solemn man-
 ner, the imputation cast upon him in both the
 letters above-mentioned, as if he had aspired
 to the archbishoprick of Canterbury, and had
 been irritated against Becket on account of the
 preference given to him by Henry in that pro-
 motion. Besides the strongest appeal to God,
 on the falshood of this charge, he called on the
 archbishop himself to testify, whether, in order
 to obtain the see of London, he had made any
 court to him, who, by his favor with the
 king, was then the sole disposer of all prefer-
 ments; and, from his not having done that, he
 inferred the improbability of his having applied
 to any minister, or shewn any ambition, to
 gain the see of Canterbury. But he charged
 Becket with having ambitiously desired that
 dignity, and having procured his election by
 the most violent use of the royal authority.
 He likewise upbraided him with the burthens
 he

V. Epist. 126.

c Cod. Cor-

ton, in Ap-

pendix.

BOOK III.

A. D. 1166.

he had laid upon the church, in his administration as chancellor, on occasion of the war of Toulouse; and with having deserted his brethren in the opposition they had made to the constitutions of Clarendon, agreeing to swear to the observation of them, *and declaring that he meant to perjure himself in so doing*; injoining them likewise to take the oath he had taken, and then breaking it by acts directly contrary to those statutes. The proceedings at Northampton in consequence of that disobedience are recapitulated in this letter, as they are related above; and the archbishop is reproached with his behaviour there, and flight from thence into a voluntary exile. And as that prelate had called on all his brethren in England to be martyrs with him, the bishop tells him, *that it is not the punishment, but the cause which makes the martyr. That, God be thanked, there was then in England no dispute about the faith, none about the sacraments, none about morals. True religion flourished equally in the prince, in the prelates, in all the subjects of the kingdom. None had joined in the schism which then divided the church. The whole contention was against the king, and concerning the royal authority, with respect to certain customs, which he asserted to have been established in the time of his predecessors, and required to be kept under him.* The bishop, having thus stated the nature and grounds of the controversy, expostulates with Becket on the injustice of drawing the sword
of

of excommunication against the anointed head BOOK III.
of the king, because he would not give up A.D. 1166
those customs, which he had not introduced
himself, but found instituted and confirmed
by a long usage of the kingdom; observing,
“ that the difficulty of pulling up any plant
“ must naturally be greater, in proportion to
“ the time it has had to take root, and strike
“ deep into the ground.” He then reminds
him, “ that his predecessor in the see of Can-
“ terbury, Augustin, the first apostle of the
“ Anglo-Saxons, had turned that nation and
“ their king from the many evil customs esta-
“ blished among them, not by maledictions,
“ but by gentle and friendly exhortations, which
“ had inclined the minds of the powerful to
“ receive good instructions; that John of Crema,
“ in their own times, being sent over from
“ Rome, had, by the same methods, procured
“ an alteration of many customs long settled in
“ the kingdom; and that lately the king of
“ France had, on the birth of his son, by way of
“ thanksgiving for that favor vouchsafed to him
“ by God, and at the intercessions of his clergy,
“ taken off many burthens, laid upon them and
“ confirmed by ancient usage: none of which
“ changes could have been effected by force or
“ menaces.” In pursuing this argument of the
unfitness of violent, and the probability of
success by gentle measures, he mentions it as a
thing well known to Becket, “ that Henry, in
the midst of all his greatness, had such a con-
tempt of the world, and such a spirit of devo-
tion,

BOOK III. tion, *that he could hardly be restrained from re-*
 A. D. 1166. *tiring to a convent !*" This appears very extra-
 ordinary, and unsuitable to the temper and
 character of that prince ; but I presume it was
 rather a passionate and vehement expression of
 that disgust, which the troublesome state of his
 affairs had produced in his mind, and which he
 may have vented to this prelate in discoursing
 upon them, than any deliberate purpose, or real
 inclination to a monastick retreat. The bishop
 further asserts, " that he would, long before
 that time, have given up such of those customs
 as were most offensive to the clergy, if two con-
 siderations had not hindered ; first, the fear of
 its being thought dishonorable to him, that
 the rights of a kingdom, which had devolved to
 him from his ancestors, should be impaired in
 his days ; and, secondly, the shame, that what
 he granted from a motive of piety should be
 supposed to be extorted from him by force :
 yet, that he had so far got over the first of these
 difficulties, as to be willing to assemble the
 clergy of his kingdom, and by their advice cor-
 rect and alter such customs of the realm as
 should be found grievous to them ; if the dis-
 turbance raised by Becket had not prevented
 the good effects of this gracious disposition."
 But in another letter, which the clergy of the
 province of Canterbury afterwards wrote to
 the pope, it is said, " that, if there was any
 thing in the constitutions of Clarendon,
 " either dangerous to the souls of men, or
 " ignominious to the church, the king had
 " long

V. Epist. 128.
 e Cod. Vatic.
 l. i. in App.

“long promised, and still persisted in promising, that he would correct it *by the advice* BOOK III
A. D. 116, . *of his kingdom :*” which explains the passage above cited from Foliot’s letter to Becket, as meaning, not that Henry had promised to submit the royal customs to the judgement and correction of the clergy alone, but of them and the whole nation assembled in parliament. Indeed even this was a concession, which, considering how deliberately the constitutions of Clarendon had been enacted, ought not to have been made ; and which agrees but ill with the constancy he afterwards shewed in maintaining most of those statutes, against all the efforts of Becket and of the pope to subvert them. It is not improbable, that in making this promise to the bishops he only sought to gain time, and enable them to prosecute their appeal to the pope with more advantage, intending to elude the performance of it, or trusting that the parliament, when Becket should be no longer archbishop of Canterbury, would, upon a revision, confirm, instead of abrogating, the greater part of those laws.

In another part of the bishop of London’s epistle above-mentioned he recites some epistles and decrees of popes, forbidding any clergyman to submit to the judgement of any secular court ; but intimates an opinion, that, by virtue of the *unction* received at his coronation, the king was so satisfied, as to be reputed, not only a secular, but an ecclesiastical magistrate. He also reminds the archbishop, that Pope Leo

BOOK III. the Fourth, in a letter to the emperor, acknowledged himself to be subject to the jurisdiction of that prince, or of judges sent from him, touching any offence he might have committed against his subjects. He then distinguishes to what ecclesiastical causes the royal jurisdiction extends, and to what it does not extend: some things, he says, belong to the church by divine right, and some by human. Among the first he places ecclesiastical degrees and orders, with all the dignities and powers thereunto annexed, and all the spiritual functions of the priesthood. He shews from the Old Testament, that when the laity presumed to intermeddle in these, they were punished for it by signal acts of divine vengeance. "Every priest, he says, is in these, superior to a king, as a father and a pastor over a son and a disciple. If therefore a king has offended against God, he ought to seek (after the example of Theodosius the Great) to be reconciled to him by the intervention of the priesthood. If priests accuse each other, the judgement of this cause does not belong to the king, but he ought to withdraw, and go backwards, lest he should behold the nakedness of his father." But the bishop adds, "that, besides the spiritual, there are also some material things, which the church holds by divine right. Among these he reckons tithes, oblations, and first-fruits; and concerning these, which the Lord has sanctified to himself, and dedicated by an eternal law to the use

use of his ministers, he denies that the royal power has any proper cognizance." But he observes, "that the church possesses many things by human right alone, namely, such as have been granted to it, not in virtue of any precept or law of God, but by the voluntary gifts of men, which the zeal of Christians had extended far beyond the limitation of the levitical portion. Kings (he says) and elect princes had transferred to the church their ample patrimonies; so that the ancient prediction to her sons had been literally fulfilled, *ye shall devour the strength of the nations, and in the glory of their people shall ye be proud.*" He makes the same application of some other texts of scripture, and seems to intimate, that the donations and concessions of this nature had been excessive and superfluous; concluding, "that it is free to every man, in giving what is his own, to annex what conditions he pleases to the gift, provided they are not unlawful or immoral." From hence he infers the obligation of churchmen to perform all the services annexed by custom to their fiefs and temporal possessions. He says, "that the power conferred by God made his ministers pontiffs, and the power conferred by the king made them earls or barons. By virtue of the latter the clergy had obtained in the palace a high degree of pre-eminence, having a principal place in all trials and judgments of the kingdom, except when the question was concerning life or blood: in con-

BOOK III.

A. D. 1166.

BOOK III. sequence of which they were bound, when
 A. D. 1165. cited by the king, to attend his court, and try
 causes, even concerning the land which the
 royal bounty had bestowed on the church;
 whether the contest was among themselves,
 or raised against them by the laity: and,
 though in spirituals they were distinguished
 by different degrees, in these temporal matters
 they all judged as peers to each other and to
 the temporal barons; and each of them was
 equally obliged to submit to the sentence given
 by all." The bishop adds, "that from the
 different exercise of the sacerdotal and royal
 powers, both of which were from God; and
 from the vicissitude between these of judging
 and being judged, there arose a strong bond
 of mutual affection and reverence; and each
 of them was interested to secure the peace of
 the other." He therefore praises Becket "for
 having, at first, submitted to the sentence of
 the king's court against him; but laments,
 that he should have declined the judgement
 thereof in a pecuniary cause between him and
 his sovereign, who *rather angrily than greedily*
 demanded from him his own." And, as
 Becket had said, in the letter to which this
 was a reply, that an archbishop of Canterbury's
 being compelled to answer such demands in
 the king's court was a novelty unheard of
 before, he tells him, "it was unheard of, that
 ever, till that time, an officer of the court had
 been so suddenly exalted to that see; that a
 man should pass from hawks and hounds, and
 other

other pleasures of the court, to the service of the altar, and the administration of the highest spiritual office and dignity in the kingdom." In the conclusion of his letter he admonishes him to call to mind, *that our Lord did not turn to Zaccheus, till he came down from the sycamore*; and exhorts him to descend from the height of his arrogance, that the king might turn to him, and grant more to his humility than he would to his pride or his threats.

This is the substance of Gilbert Foliot's most remarkable letter, a transcript of which from the Cotton manuscript is in the Appendix to this book, together with several others that were written during the course of this quarrel; by which the merits of the cause, the temper of the parties, and the abilities of the writers, may be more particularly seen.

But it was not Becket's intention to combat his antagonists by words alone. He had now received from the pope a power to exercise at discretion ecclesiastical justice against those who had usurped the goods of his church, or done him or his friends any injury, if they refused restitution and satisfaction. His Holiness also said, "that, as to the person of the king, he gave him no special mandate; but neither would he take from him that authority which belonged to his office, as archbishop of Canterbury, and which he desired to preserve to him unprejudiced and entire." This Becket interpreted into an absolute power of excom-

BOOK III.
A. D. 1166.

V. Epist. 119,
120. l. i.

BOOK III.

A. D. 1166.

V. Epist. 140.
L. i.

municating Henry when he should think proper, supposing perhaps, and not unreasonably, that Alexander meant only to remove from himself the odium of such a violent act, and throw it chiefly upon him. Nor was he afraid, or unwilling, to bear that burthen: and having already gone through the canonical forms of admonition and commination, he thought it time to pass sentence. About the beginning of June in the year eleven hundred and sixty-six, he went from Pontigni to Soissons, in order to visit the sepulchre of St. Dransius, who was supposed to have the power of rendering invincible any champion who should pass a night at his shrine. Robert de Montfort, before his duel with Henry de Essex, had practised this devotion; and his good success was ascribed to the intercession of the saint. Here therefore Becket, adopting the popular superstition, prepared himself for the exercise of his spiritual chivalry, and implored the assistance of Dransius in that perilous combat, which, as the champion of the church, he resolved to undertake against his own sovereign. One whole night did he watch before the shrine of this saint; another, before that of Gregory the Great, whom he considered as the founder of the English church; and a third, before the altar of the Blessed Virgin, his patroness. Having thus raised in the people a very high expectation of what was to follow, and, possibly, fortified his own heart by kindling in it a more ardent flame

flame of enthusiasm, he went to Vizelay, BOOK III
 intending there to pronounce his anathema, A. D. 1165.
 against the king, his master, on the ensuing
 Whitsunday. But, before that day came, he
 had a message from Louis, to inform him that
 Henry was dangerously ill: on which account
 he was advised by that prince to defer the
 accomplishment of this act till a more proper
 time. Advice from Louis was a command
 to one in his circumstances. Yet, though
 he granted this delay to the person of Henry,
 he pronounced several sentences of excommu- V. Epist. 96.
 nication against his servants and ministers; 138. 140. l. i.
 particularly against John of Oxford, for the
 causes before-mentioned; against Richard de
 Ivelchester, archdeacon of Poitiers, for holding
 communion with the archbishop of Cologne,
 a favorer of the antipope; against Hugh de
 St. Clare and Thomas Fitz-Bernard, for
 having usurped the goods of the church of
 Canterbury (that is, for having obtained the
 sequestration of those he had forfeited by his
 flight); and lastly, against the chief justiciary,
 Richard de Luci, and Joceline de Baliol, *as*
the favorers of the king's tyranny and the
contrivers of those heretical pravities, the
constitutions of Clarendon. He also con-
 demned all those laws, but more especially
 six of them; excommunicated in general all
 persons whatsoever who should enforce or
 observe them; annulled the act of parliament
 by which they were confirmed; and absolved
 the bishops from the oath they had taken to

BOOK III. observe them. Having thus outgone the pope himself, who had tolerated some of them, he notified what he had done to his suffragan bishops, injoining them to publish the sentences he had pronounced, and take care of their execution. He added, that, as yet, he had deferred to pass sentence on the person of the king, waiting to see whether that prince, through divine grace, would repent; but, if this did not happen, he declared, he would soon pronounce it.

V. Epist. 140.
L. i.

His former letters had given such an alarm to the king, that he had called a great council at Chinon in Touraine, to consult with them by what means he should resist the hostilities of this violent man, who, he told them, *desired to destroy both his body and his soul*. The bishop of Lisieux advised him to interpose an appeal, in his own name, to the pope; as the only measure which could stop the impending sentence. He pursued this advice, though it was much more agreeable to the necessity of his affairs, than to the dignity of his crown; and ordered two of his bishops to go to Pontigni, and notify there to Becket the appeal he had made. But they found him not; for he was then at the sepulchre of St. Dransius; so that he had no information of the message they brought till he returned from Vizelay; and the king escaped excommunication only by a sickness which did not last very long.

It

It is observable how much the conduct of Becket differed in this instance from that of archbishop Anselm, whom in many particulars he seems to have made his guide and pattern. That prelate, being a fugitive, as his successor was now, stopped a sentence of excommunication, which Urban the Second was going to pronounce against William Rufus, in the council of Bari, by falling on his knees, and interceding for the king with whom he had quarrelled, and who had seized his temporalities on his leaving the kingdom. This was a behaviour which became a christian bishop; but the temper of Becket could not brook any delay of vengeance, and he thought that decency in this business was of no less importance than dispatch.

John of Salisbury, writing to the bishop of Exeter upon Henry's appeal to the pope, observes very justly, *That while that prince, by his ancient customs, endeavoured to abolish the rights of appeals to Rome, he confirmed it still more, by being obliged to have recourse to it himself, for the safety of his own person.* And certainly the church party had great reason to exult and triumph therein. But Henry, fearing that Becket, notwithstanding this appeal, might put his realm under an interdict, which, especially during his absence, would grievously disturb the peace thereof, took all possible care that no letters of interdict should be conveyed into England, nor any obedience paid to them if

BOOK III.
A. D. 1166.

V. Eadmer,
l. ii. p. 50.
See also l. i.
of the first
volume.

V. Epist. 140.
l. i.

BOOK III. if they should arrive. For he sent over orders
 A. D. 1166. that all the ports should be diligently watched;
 Cod. Cotton. and that, if any ecclesiastick was found to have
 p. 26. brought over such letters, he should be pu-
 Cod. Vatic. nished with mutilation of members; if any
 p. 169. layman, with death. He also commanded,
 Epist. 14. l. i. that if any of the bishops, for fear of such in-
 See the ar- terdict, should depart out the kingdom, he
 ticles in the should not be permitted to carry any thing
 Appendix. with him, except his staff; and that all students
 abroad should speedily return into England, or
 be deprived of their benefices and banished for
 ever. All priests, who should refuse, in conse-
 quence of the interdict, to perform divine ser-
 vice, were to be castrated; and for any rebel-
 lious act, they were to be punished with the loss
 of their benefices.

By these terrors the civil power endeavoured
 to guard itself against that rebellion, in which
 the primate of England had required all his
 clergy to join him, *for the salvation of their*
souls. Instead of complying with his orders,
 V. Epist. 128 his suffragan bishops, and all the clergy of his
 l. i. diocese, complained to the pope of his rash
 and furious proceedings, affirming, that justice,
 peace, and the publick weal of the kingdom,
 were the sole objects of the king's most fervent
 desires; and setting forth in strong terms, how
 much to the detriment of the church it would
 probably be, if, by the intemperate zeal of
 Becket, that monarch should be compelled to
 join with the antipope. The account they
 give, in this epistle, of the proceedings at

Clarendon

Glarendon is remarkable. They say, "that BOOK III.
 " the king, not from any ambition of extend- A. D. 1166.
 " ing the royal prerogative, nor with any
 " view to oppress the liberty of the church, but
 " from the desire of establishing the publick
 " peace, required that these customs and digni-
 " ties of the realm, which under former kings
 " had been observed by ecclesiastical persons,
 " should be produced and promulgated, in or-
 " der to prevent for the future any controversy
 " about them. Whereupon *the oldest bishops, and*
 " *other most ancient persons of the kingdom*, being
 " solemnly adjured to give their testimony truly
 " and faithfully in this enquiry, the customs
 " sought for were brought forth, and publick-
 " ly attested in parliament by the greatest men
 " in the kingdom." They also apologise for
 the opposition they made at first to these laws
 by their zeal for the privileges of the priesthood,
 " *between which and the king's zeal for the good*
 " *order of his realm a holy contention had arisen,*
 " *which they believed would, on both sides, be*
 " *justified, before God, by the honesty of the inten-*
 " *tions.*" They concluded their letters by de-
 claring their appeal to his Holiness, and carry-
 ing the term of it to the ascension-day of the
 next year.

Thus was the papal authority called-in by
 both parties in this dispute, to decide a question
 which belonged to the civil power alone.

But Henry, before he made his appeal to the
 pope, had expressed his indignation against the

Cistercian V. Epist. 129.
138.
Gerv. Chron.
Hoyeden, sub
ann. 1166.

BOOK III. Cistercian monks of Pontigni, for harbouring Becket, by declaring to the whole order, that, if they did not expel that prelate from their house, he would certainly expel them from all his dominions; and as, notwithstanding his application to Rome, he continued these menaces, the archbishop, unwilling to hurt his friends without benefit to himself, departed from Pontigni, where he now had resided near two years, about the feast of St. Martin in the year eleven hundred and sixty-six. A safe asylum was given to him by the king of France at Sens, with all the assistance that compassion warmed by bigotry could bestow. Henry doubtless judged ill in thus compelling him to remove from his former retreat; as he might be sure that another, equally secure and agreeable, would be opened to him in France: for to seem to prosecute, and not to be able to hurt, was doubly dishonorable to his royal dignity: nor did an act of this nature agree with the appeal he had made to the pope, who had himself recommended Becket to the abbot of Pontigni, and owed a peculiar regard to that order, because they had lost all their convents in the empire by refusing to join in the schism.

V. Epist. 118. About a month after this change in the place
l. i. of his residence, the archbishop received some letters from Alexander, which not only confirmed the several sentences pronounced by him
V. Epist. 115. at Vizelay, but appointed him legate over all
l. i. the realm of England, except the single diocese
of

of the archbishop of York, who, being legate BOOK III.
 for Scotland, could not properly be subjected A. D. 1166.
 to the legatine power of another. This legation was not given as a right annexed to the see of Canterbury, which some have supposed; but, as appears from the words of it, was a special commission: and the granting of it at this time was an extraordinary favor conferred on Becket, and a very offensive act to the king of England and all the appellant bishops. It was making that prelate judge in his own cause; and arming his passions with all the thunder of Rome. He probably owed it to the importunate intercessions of Louis, who was more zealous for him than Alexander himself. But the joy this gave him was checked, while he was using his new authority to the no small terror of his enemies, by the effects of a negotiation between that pontiff and Henry, of which we have no satisfactory account. All we know is, that ambassadors having been sent V. Epist. 130.
 from the marquis of Montferrat to ask one of cl. ii.
 the daughters of Henry for his son, they assured the king with great confidence, that, if they returned with success, they would procure the deposition of Becket from Canterbury: Henry granted their request, and sent back with them three ministers, John of Oxford, John Cummin, and Radulph de Tamworth, who, from the court of the marquis, were ordered to proceed to that of Rome. It is very wonderful that the king should send on this business one so obnoxious as John of Oxford, accused of
 having

BOOK III. having joined in the schism with the Germans, and actually excommunicated on that account, as well as for having accepted the deanry of Salisbury against the pope's prohibition! What secret reasons determined him to so exceptionable a choice it is difficult to discover; but the prudence of it appears to have been sufficiently justified by the event: for, in spite of all these objections, John of Oxford was admitted to treat with his Holiness, after taking an oath, that he had done nothing at Wurtzburg against the faith of the church, or the honor and service of the pope. As for the deanry of Salisbury, he resigned it to Alexander, and immediately received it again from that pontiff, together with absolution. One may presume that all this had been concerted before-hand between his Holiness and the ministers of the marquis of Montferrat. The credentials brought by John of Oxford appearing to contain ample power from his master, Alexander negotiated confidentially with him; and he managed so ably, with the help of his colleagues, as to obtain for the king, that two cardinals named by that prince should be sent legates *à latere*, over all his French territories, with full authority to hear and determine the cause of Becket, as well with Henry himself, as with the bishops appellant, by a definite sentence. One of these legates was William of Pavis, Henry's particular friend. And, till these should have determined the above-mentioned causes, the archbishop was strictly forbidden by the pope

in

V. Epist. 103.
l. ii.

V. Epist. 7.
l. ii.

V. Cod. Cotton. epist.
Thom. Claudius, b. ii.
fol. 142.
See also the
Cave manuscript in the
Bodleian library, and the
transcript of it in the Appendix.

in any manner to disquiet the king or his ^{BOOK III.} kingdom. Moreover, if in the interim he ^{A. D. 1166.} should have past any sentence against Henry's person or realm, his Holiness declared it to be of no effect. This was indeed a suspension, or rather revocation, of the legatine power which he had granted to Becket. And, to complete his indulgence, he assured the king in this letter, which is dated the thirteenth of the calends of January, that the legates he had appointed should absolve all the servants and counsellors of that prince from the excommunication laid upon them, though he had confirmed it before; and further granted, that, if any of them should be in danger of death before the legates arrived, such person might be absolved by any bishop or priest, only taking the oath, as was usually done in cases of this nature, that, if he recovered, he would submit to whatever the pope should injoin. Thus were the hands of Becket tied, and the acts he had done at Vizelay entirely annulled by the papal authority, from which he expected the most cordial assistance. So conscious was the pope how extremely inconsistent with all his past conduct these concessions must appear, that, although he allowed the king a liberty of shewing the letter by which he notified them to him, *in case of necessity*; yet he most earnestly entreated, and strictly enjoined him, *not to do so, if it could by any means be avoided; but to keep it absolutely secret*. And therefore the editor of Becket's epistles has, from a concern for the honor of the papacy,

BOOK III.

A. D. 1166.

V. Epist. 102.
l. ii.V. Epist.
l. i.

pacy, left this out of the book he published from the Vatican manuscript, as he has several others: but it is in the Cotton manuscript of those epistles, and also in the Cave manuscript of Gilbert Foliot's letters; from which very ancient and authentick collections I have transcribed it into the Appendix belonging to this volume. It was a current report, that, in order to obtain these extraordinary favors, and the pope's dispensation for Geoffry Plantagenet to marry his third cousin, the heiress of Bretagne, which John of Oxford brought with him, that minister had engaged, in the name of his master, that the dispute concerning the royal customs should be entirely submitted to the judgement of his Holiness: and that each of those constitutions should be annulled or confirmed at his pleasure. We are also informed, by a letter from the bishop of Poitiers, who, though a subject of Henry, corresponded with Becket, and gave him intelligence of what passed in the court of that prince, that John of Oxford had been charged, by both his colleagues, at their return out of Italy, with having, to gain absolution for himself, exceeded his powers, and given hopes to the pope that a reconciliation might be effected between Henry and Becket, on terms which it was impossible for the king to accept. But whatever he did must have been done by Henry's orders; as he continued to enjoy the same degree of his favor. And what it was that he promised Alexander himself

self has told us. For in a letter written by **BOOK III.**
 that pontiff to the cardinal legates, after their
 departure from Rome, there is this expression, **A. D. 1167.**
"John of Oxford signified to me by the letters **V. Epist. 23.**
he brought, that the king had publickly said,
"he would preserve to his clergy that liberty
"which they had enjoyed from the time of his
"grandfather Henry the First." Now in
 these words there was much ambiguity. If
from the time of his grandfather Henry the
First signified after that time, it was in reality
 giving up what the king and the nation were
 most concerned to maintain; because the
 church, in the reign of Stephen, had violated
 almost all the rights of the crown; but, if that
 date took in the reign of Henry the First, then
 the king gave up little; because most of the
 customs confirmed to him at Clarendon were
 then in full vigour. It appears very probable,
 that John of Oxford was impowered to offer
 some relaxations of the royal prerogatives, so
 as to bring them to a medium between what
 they had been in the time of Henry the First,
 and the immunities which the clergy had gain-
 ed under Stephen. For this was consonant
 to what the bishop of London affirmed to
 Becket, in the letter recited above; and, some
 time afterwards, the same prelate in a council, **V. Epist. 6.**
 or synod, where both the legates were present, **l. ii.**
made a publick declaration, that the king re-
leased the prohibition of appeals to Rome, which
he had enacted for the benefit of the poor clergy,
and now annulled on account of their ingratitude.

BOOK III.

A. D. 1167.

V. Francisci
Pagi breviar.
pont. Roman.
iubann. 1166.

V. Epist. 164.
Li.

He ought to have maintained it for the dignity and independence of the state; but he could not do that with any grace or propriety, after he had himself appealed to Rome. Yet, whatever concessions John of Oxford may have made in his name, the success of that minister must be chiefly ascribed to the apprehensions of Alexander at this juncture of time. The Emperor Frederick, at the head of a formidable army, was now come into Lombardy, and threatened Rome. The terror this gave naturally added great force to the intercessions of those cardinals who favored the king of England, and of his new ally the marquis of Montferrat, who was one of the most powerful princes in Italy. The business was also much forwarded (if Becket was not misinformed) by the power of bribes in the court of Rome, which (to use an expression of that prelate in one of his letters) *was prostituted* on this occasion, *like a harlot for hire*. An astonishing instance how far that power extended, and how dextrously Henry's ministers employed it to serve him, is, that John Cummin and Radulf de Tamworth procured and brought with them, at their return to the king, all the letters which Becket had written to the pope against that prince, or which other persons had written in favor of Becket, among whom were some the king had never suspected, bishops of his own territories, and even officers of his household. The bishop of Poitiers, who wrote to apprise the archbishop of this treachery, says, that Cummin pretended he had taken these letters

ters from a messenger sent with them to Rome BOOK III.
 by Becket; *but that it was more probable he had* A. D. 1167.
got them out of the Roman chancery. He also
 tells that prelate, it was believed John of Ox-
 ford was gone into England, to prepare a new
 charge against him; and that the two other
 ministers threatened him grievously, because
 in some of the letters he had written to the
 pope, and which they now brought to Henry,
 he had called that monarch *a malicious tyrant.*
 His correspondent appears much alarmed for
 him on account of this unhappy discovery;
 and doubtless it was a misfortune which must
 have given great disquiet both to him and his
 friends. But before he had received any in-
 telligence of it, or of what had been done
 to his prejudice by Alexander himself, he had
 found means, notwithstanding all the vigilance
 of the government in guarding the ports, to
 get the pope's mandate, which notified his V. Epist. 130,
 legatine power to the bishops of his province, 131.
 and a copy of the bull of legation itself, de-
 livered, by a person unknown, to the bishop
 of London, while he was officiating at the
 high altar, on the feast of St. Paul's conver-
 sion, in the year eleven hundred and sixty-
 seven. There were also delivered to him, at
 the same time, and by the same person, letters
 from Becket to him and the other bishops
 of England, requiring them to obey him as
 legate, and summoning them to appear before
 him within forty days after the receipt of those
 letters. These the bishop of London was com-

BOOK III. mandated to deliver or send to those prelates, together with the bull of legation, on pain of being degraded. The pope's mandate required them to compel all persons, who, pursuant to an order from the king, had taken possession of the benefices belonging to the clergy in exile with Becket, to a full restitution of them within the term of two months, under the penalty of excommunication. They were likewise commanded to collect Peter-pence, and pay it to some messengers whom the pope would send for that purpose.

The bishop of London, greatly terrified, implored the king's permission to comply with all these injunctions; but Henry would consent to none of them, except that which concerned Peter-pence: nevertheless, so subjected were the bishops of England to the papacy, that even this prelate, the most attached to the person of the king, and most inclined to respect the royal authority, durst not venture to disobey the orders of the pope, or the summons of his legate. At this conjuncture, John of Oxford, returning from his embassy, arrived at Southampton, where he found the bishop of Hereford, whom Becket had thrice summoned by particular letters, waiting for a wind to go to France, though he had been forbidden to pay any regard to that injunction, not only by the king's ministers, but also by his letters. John of Oxford endeavoured to stop him in the name of the king, and finding that ineffectual, in the name of the pope.

The

V. Epist. 144.
l. i.

V. Epist. 165,
166. l. i.

The bishop asked, "if he had letters of the pope on this subject." He replied, "he had letters, by which his Holiness forbade all the bishops of England to go over to Becket, or obey his injunctions on any other point, till the arrival of the legate *à latere* desired by the king, meaning William of Pavia, who would determine their appeal, and the more important cause between the king and that prelate, with fullness of power, and in the last resort." The bishop, desiring to see those letters, he said, he had sent them before him to Winchester with his baggage. The bishop's chaplain was dispatched to read them there; and at the same time they were shewn to the bishop of London, who was in that city, intending to pass over to France, as well as the bishop of Hereford, at the call of Becket. As soon as he had read them, he cried out, in a transport of joy, "*from henceforth Thomas will be no more my archbishop!*" nor did Becket himself form a different judgement: for, being apprised of it by the bishop of Hereford's chaplain, he wrote to one of his clergy, who was with Alexander at Rome, "*that, if these things were true, the pope had undoubtedly strangled and suffocated, not him alone, but the whole English and Gallican church.*" The king of France was much incensed. He talked of forbidding the legates to enter his kingdom, and of assembling all his bishops to declare and complain to them how ill he was used by the pope. Nay, he protested openly *that*

BOOK III.
A.D. 1167.

V. Epist. 165.
h. i.

BOOK III. *he was no less offended at the sending of the*
 A. D. 1167. *legates on this business, than if Alexander had*
sent them to take the crown from his head.

Yet, notwithstanding all this fury of zeal in that monarch for the support of Becket and his cause, an opinion that he would be sacrificed to Henry's resentment prevailed so strongly in France, and so cooled his friends there, that some of the French nobility, and even of the bishops, from whom many of those, who had been driven out of England on his account, had received a liberal maintenance, turned them back on his hands: an instance of inhumanity and baseness of mind that would hardly be credible, if we were not assured of it by the testimony of Becket himself, in the above-cited letter to his agent at Rome, whom he ordered to acquaint the pope with it, that means might be found to prevent these unhappy persons from perishing soon with cold and hunger, as some of them, he said, had already perished. He also expressed his fears, "that if Alexander should die, or any great
 " confusion should happen in Rome, the
 " favors granted to Henry would be transfer-
 " red to his heirs, and, what was worse, other
 " princes would, in consequence of this pre-
 " cedent, extort the like privileges and eman-
 " cipations from the church; and thus all her
 " liberty, and all the jurisdiction and power
 " of bishops, would be destroyed, *when there*
 " *would be none to restrain the wickedness of*
 " *tyrants, who in those days were wholly bent*
 " to

“to make a violent war against God and his BOOK III.
 “ministers, nor would desist, till they had re- A. D. 1167.
 “duced them, as well as others, to servitude.”

There is likewise extant a letter, written at this time to the pope from a trusty servant in France, which tells his Holiness, “it was com-
 “monly and confidently reported, *that the king*
 “*of England put all his hope in the death or ruin*
 “*of his Holiness, declaring a fixed resolution*
 “*never to acknowledge his successor, unless he*
 “*first should have confirmed to him all the digni-*
 “*ties and customs of his kingdom.*” The writer adds, “that if, by means of the legates now
 “sent to him, that prince could artfully ob-
 “tain a delay of the censures, with which he
 “had been threatened, till the decease of his
 “Holiness, he would carry his point: and
 “therefore all those *who had the spirit of God,*
 “and desired the peace of the church, most
 “fervently wished and prayed, that the spirit
 “of Daniel might be excited in his Holiness,
 “*to make him detect the frauds of Bel, and slay*
 “*the dragon.*”

It seems indeed very evident, that Henry meant to avail himself of the death of the pope, if it should happen, or of any distress which that pontiff might be brought into by the emperor; and therefore sought to gain time by the arts of negociation, and by such concessions as he probably would not have made, if he had not hoped that he should soon be able to revoke them, without danger to himself, or to the quiet of his realm. Which policy not

BOOK III.

A. D. 1167.

escaping the penetration of Becket, he considered all delays as most hurtful to his interests ; and this, added to the natural impatience of his temper, made the conduct of Alexander appear to him essentially and inexcusably wrong. An able general, stopt, by the orders of his prince, from giving battle in the decisive moment of victory, and foreseeing the ruin of his own and his master's affairs from that restraint, could not be more dissatisfied, or more grieved than he. But, as he durst not quarrel with the pope, he had recourse to supplications, and wrote a letter to that pontiff, in a most extraordinary style, directly *praying to him*, and imploring his help, in phrases of scripture appropriated to God : *" Rise, Lord, and delay no longer ; let the light of thy countenance shine upon me, and do unto me according to thy mercy, and to my wretched friends who faint under too heavy a burthen : save us ; for we perish. Let us not be confounded amongst men ; let not our adversaries insult over us, yea, the adversaries of Christ and the church ; let not our fortune be turned into derision by this nation and people, because we have invoked thy name to our assistance. Not unto us, O Lord, not unto us, but in the name of our Lord Jesus Christ make unto thyself a great name ; repair thy glory, clear up the honor of thy reputation, which, upon the return of that excommunicated and perjured schismatick, John of Oxford, is, by his false reports, extremely sunk in these parts. God*
" knows,

V. Epist. 45.

l. ii.

V. Appendix.
ccin.

“ knows, I do not lie ; and, if you do not believe BOOK III.
“ me, enquire of those in France who most ten- A. D. 1167.
“ der your honor, who most desire the welfare of
“ the church. Clear up, I say, the honor of
“ your reputation, which hitherto has flourished
“ unblamed amongst men, which, in the midst of
“ all perils, has been preserved unhurt, which,
“ when all else was lost, remained singly invio-
“ late, which in all places was deemed to be
“ sound and illustrious.” It is evident from
 the latter part of this very devout supplica-
 tion, that the former was addressed, not to God,
 but the pope. Whether it ought to be im-
 puted to flattery or enthusiasm, I will not de-
 cide. Those times thought it no blasphemy
 to give to the pope the honors of God : but
 that Becket was serious in that opinion, may be
 doubted. However this may have been, his
 prayers were heard. Alexander, upon the re-
 ceipt of this and other letters, which informed
 him of the offence he had given in France, and
 particularly at court, by concessions to Henry
 so detrimental to Becket, whom a religious zeal
 had recommended to the protection of Louis, V. Epist. 23.
 was much alarmed : and though he would not 28. 35. l. ii.
 recall the legates, he limited their authority
 within much narrower bounds, employing
 them rather as mediators to negotiate a recon-
 ciliation between Henry and Becket, than as
 judges to try that prelate's cause ; which re-
 striction of their commission they received on
 the road before they came into France. And, V. Epist. 43.
 to take off the ill impression which Louis had l. ii.
 received,

BOOK III. received, he wrote a letter to that monarch, explaining the purpose of this legation agreeably to the alteration now made, and desiring him to assist the earnest endeavours the legates would use for the concluding of a peace between Henry and Becket. But if this could not be obtained, he then asked his leave to appoint that prelate apostolical legate in France, *if such a thing could be done without grievously offending the bishops of that kingdom.* It does not appear, that this proposal was relished by Becket.

Soon after Easter, in this year eleven hundred and sixty-seven, a war had broken out between Louis and Henry. The former of these, from the time when Becket first implored his protection, had shewn in his whole conduct a mind entirely alienated from all friendship to the latter, whom he considered as a tyrannical persecutor of the church in the person of a holy archbishop. His conversation with that prelate, after he came into his territories, had so strengthened this opinion, that he began to think the making war against such a grievous offender would be little less meritorious than another crusade. But the immediate occasion of this rupture was one of those quarrels, wherein the king of England was often disagreeably engaged, by being, on account of his territories in France, a vassal of that crown.

Chron. Norm.
Diceto Imag.
hist.

Gerv. Chron.
subann. 1167.

William the Seventh, earl of Auvergne, had been dispossessed of that earldom, which he inherited from his father, by the arms and intrigues

trigues of his uncle : and Auvergne being a fief BOOK III.
A. D. 1167.
of the dutchy of Aquitaine, the former cited the latter to the tribunal of Henry. But the defendant had recourse to Louis, *as the supreme lord of the fief*, who irregularly as it seems, and against the right of the duke of Aquitaine to do justice to his vassals in the first instance, took the cause into his own hands. Henry therefore, to assert his own jurisdiction, led an army into Auvergne, and ravaged the lands of his rebellious subject. Louis hereupon made an inroad into the Norman Vexin ; where, Henry having desired a peaceful interview with him, they held a conference, and the latter used his utmost endeavours to terminate this dispute, and other differences between them, in an amicable manner. But the French nobility were averse to an accommodation, thinking it necessary, after the acquisition which Henry had made of Bretagne by his treaty with Conan, to attempt the reducing of his exorbitant power in France, which broke the whole balance of the government in that kingdom. They were likewise apprehensive that some confederates, from whom they expected assistance, would be disgusted and lost, if the king of France did not act with more vigour and alacrity than he had hitherto done, in support of their interests ; and that Henry would be delivered from all the embarrassment of his contest with Becket by the cardinal legates, of whose coming they had now received accounts. For these reasons, and from a regard to the inclinations of their
master,

master, which were very averſe to a peace, they laid hold of all pretences to hinder an agreement, and particularly of a diſpute about the manner of paying ſome money raiſed by Henry, for the relief of the chriſtians in Paleſtine; on which article I ſhall have occaſion to ſay more hereafter. Louis began the war by firing ſome villages on the borders of Normandy; whereupon Henry aſſaulted, took, and burnt to the ground, the caſtle of Chaumont, which being the ſtrongeſt fortrefs in the French Vexin, and the chief magazine wherein Louis had depoſited all his ſtores for the war, with his military cheſt, the loſs of it was a moſt ſenſible blow to that prince. In revenge, he burnt the town of Andeli ſur Seine, and ſome others of leſs note; but, while he performed theſe exploits, more deſtructive than glorious, Henry took by ſtorm the caſtle of Fimnel; and the war continued till Auguſt, when Louis, being unable to carry it on with any vigour, for want of the ſtores and money he had loſt, conſented to a truce, which was to laſt from that time till after the Eaſter holidays of the following year. Many reaſons of prudence might incline the king of England to think this armiſtice more deſirable than a continuance of the war, even with all the advantages he had gained; and particularly the ſtate of his affairs in Bretagne. For Guinomar, ſon to the viſcount of Leon, and brother-in-law to Earl Eudo, having been excited by Louis, and encouraged by an aſſurance of ſupport from that monarch,

monarch, began to be factious in that country, and drew to his standard some discontented nobles. Henry availed himself of the truce concluded with Louis to crush this insurrection, before it could rise to any dangerous height; and, making a sudden incursion into the county of Leon, destroyed the castle of Guinomar, with other fortresses that belonged to the friends of the viscount, which compelled him to submit, and give hostages to the king for his future fidelity. Rebels, who act with a dependence upon aid from great kings against the arms of their sovereigns, are often sacrificed in this manner to the necessities or the interest of their royal protectors.

While Henry was employed in suppressing this revolt, he received an account of the death of his mother Matilda, the greatest lady that Europe had ever seen, empress of Germany by her first marriage; countess of Anjou, Touraine, and Maine, by her second; and, by the will of her father, confirming her claim from hereditary right, dutchess of Normandy, and queen of England. Yet she was more truly great in the latter part of her life, when she acted only as a subject under the reign of her son, than at the time when she beheld King Stephen her prisoner and England at her feet. The violence of her temper, and pride inflamed by success, had then dishonored her character, and made her appear to her friends, as well as to her enemies, unworthy of the

I

dominion

BOOK III.

A. D. 1167.

dominion to which she was exalted : but from the instructions of adversity, age, and reflexion, she learned the virtues she most wanted, moderation and mildness. These, joined to the elevation and vigour of her mind, wherein she had always surpassed her sex, enabled her to become a most useful counsellor and minister to her son in the affairs of his government, which, for some time past, had been her sole ambition. There is not in all history another example of a woman who had possessed such high dignities, and encountered such perils for the sake of maintaining her power, being afterwards content to give it up, and, without forsaking the world, to live quietly in it ; neither mixing in cabals against the state, nor aspiring to rule it beyond that limited province which was particularly assigned to her administration. Such a conduct was meritorious in the highest degree, and more than atoned for all the errors of her former behaviour.

V. Epist. 42.
l. ii.

V. Epist. 52.
53. l. i.

The last publick affair in which she took any part was a mediation between her son and Becket, which the pope enjoined her to undertake, *for the remission of her sins*. When that prelate was informed of her having received this injunction, he sent messengers to her with a very artful letter, in which, after great encomiums upon her charity, piety, and zeal for religion, he made his complaints, “ that her son had afflicted the clergy of his “ realm in an intolerable manner, and had

“ exacted from them some things *unheard-of* BOOK III.
 “ *and unaccustomed.*” But being sensible that A. D. 1167.
 he could not make good this assertion, he im-

mediately added, “ that, *if ancient kings had*
 “ *acquired prerogatives of that nature, they*
 “ *ought not to have done it. What* (says he)
 “ *will it profit the king your son before God,*
 “ *if he transmits his sins to his heirs, and con-*
 “ *stitutes them, as it were by his testament,*
 “ *adversaries of God and his church? Or what*
 “ *does it now profit his ancestors, if he, taking*
 “ *occasion from their evil practice, offends God*
 “ *by a kind of hereditary right? Other services*
 “ *should have been done, and other gifts have*
 “ *been offered, to appease the divine wrath,*
 “ *and for the salvation and redemption of the*
 “ *souls of his forefathers. God is not pleased*
 “ *with sacrifices from rapine. It might as well*
 “ *be supposed, that a father would be pleased*
 “ *to have his son offered up in sacrifice to him.*”

After these expostulations with Matilda, which were admirably well calculated to deter her from insisting on the antiquity of those rights that were in dispute, the archbishop invites the king, her son, to repentance, with a gracious promise of mercy; but yet he says,
 “ *that God has drawn his bow, and will*
 “ *speedily shoot from thence the arrows of death,*
 “ *if princes do not permit his spouse, the church,*
 “ *for the love of whom he had deigned to die,*
 “ *to remain free, and to be honored with the*
 “ *possession of those privileges and dignities,*
 “ *which*

BOOK HL. "*which he had purchased for her with his blood*
 A.D. 1167. "*on the cross.*"

V. Epist. 52.
 L i. ut supra.

Whoever has read the Gospel must be astonished to hear, that an exemption for clergymen from all civil justice was *one of the privileges purchased by the blood of Christ for his church*. But Becket having, agreeably to the doctrines of Rome, inculcated this to the empress, proceeded to inform her, "that it was her duty to use the care of a mother, and the authority of a queen, in reclaiming her son; as it was *she who had, with many labours, acquired for him his kingdom and dutchy of Normandy, and transmitted to him, by hereditary succession, those rights and royal prerogatives, which were now made the occasion of the church being oppressed and trod under foot, innocent persons proscribed, and the poor intolerably afflicted.*" Matilda had not, for some time, been used to hear, *that she had over her son the authority of a queen, nor that her labours had acquired for him his kingdom and dutchy of Normandy*. That both these propositions were false in fact, the archbishop and she herself must have perfectly known: but he thought they would sound agreeably in her ears; and it imported him to render her favorable to him in this negociation. He concluded by assuring her, "that, on his part, he would willingly do what he could for the salvation of her and her son, perpetually imploring the mercy of God for them both; but, he should pray with more confidence, if the
 "king,

“ king, by restoring peace to the church, would BOOK III.
 “ speedily and devoutly return to God, his maker A. D. 1167.
 “ and benefactor.”

As soon as Henry was informed that the mediation of his mother was desired by the pope in this affair, he apprehended that her piety might be seduced or alarmed by misrepresentations of the nature of the question ; and therefore sent John of Oxford to caution her against the arts of Becket. By him she was told, “ that every thing done by that prelate
 “ had been done out of pride and the desire of
 “ dominion ; and that the ecclesiastical liberty,
 “ which he endeavoured to maintain, was used
 “ by the bishops, not to the benefit of their own
 “ or other men’s souls, but to the increase of
 “ their wealth ; the crimes of delinquents ac-
 “ cused in the spiritual courts not being punished
 “ by the proper penances, but by pecuniary
 “ mulcts.” He added some reflexions upon the conduct of Becket, for having affected to gather about him the children of noblemen, who were bred up to learning under his inspection, instead of religious persons ; and gave a very scandalous name to those youths, which the writer of the letter, from whence I take
V. Epist. 53.
l. i.
 these particulars, says, *he did not think fit to be mentioned.* This was certainly a most unjust and malignant defamation of not only an innocent but laudable act. The young noblemen, thus taught in the archiepiscopal palace, were probably designed for holy orders ; and

BOOK III. the superintending of their studies was very
 A. D. 1167. suitable to the character of a learned arch-
 bishop, whatever offence it may have given to
 the monks, or inferior secular clergy, who de-
 sired, if possible, to exclude all the gentry from
 learning, and to confine to themselves all pre-
 ferments in the church. To argue from thence
 (as John of Oxford did to Matilda) that Becket
 was not really a friend to the church, was very
 uncandid; and to impute his familiarity with
 these youths to a foul and unnatural passion (if
 that was meant by the scandalous appellation
 given to them) was cruel slander. For I do
 not find the least hint of such a suspicion against
 him in any other letter or writing of those
 times. But another accusation thrown out by
 John of Oxford, in his discourse with Matilda,
 may have been not so ill-founded; namely,
 V. Epist. 53. *that Becket conferred ecclesiastical dignities,*
 l. i. *merely with a view to serve himself, and not to*
serve God, even upon persons whose characters
were notoriously vile. This he might do: for
 whosoever makes himself the head of a faction
 must consider abilities more than morals, and
 reward zeal for the cause, which is frequently
 strongest in those who have no other merit,
 with the most distinguished marks of favor.
 The empress was likewise informed, that the
 archbishop had not fled out of the kingdom on
 account of the royal customs, but of the pecu-
 niary cause between him and his master. And
 most of these accusations were confirmed to her
 by others who came from her son, as well as by
 John

John of Oxford. It appears from a letter, sent BOOK III.
 to Becket from one of his agents in this busi- A. D. 1167.
 ness, that she was much incensed against him, V. Epist. 53.
 and, in discoursing with them, complained of ^{l. i.}
 the bishops for ordaining men without titles,
 which brought into the church a multitude of
 indigent persons, who, being led by want and
 idleness into all sorts of crimes, were protected
 from punishment by the ecclesiastical privileges,
 and could not be restrained by the fear of de-
 privation, having no benefices to lose, or of
 being imprisoned by the bishops, who, in most
 cases, chose rather to dismiss them with im-
 punity than to keep and feed them in their
 jails. She also blamed the evil custom of
 allowing pluralities, even as far as seven bene-
 fices to the same person, and of taking great
 sums of money, as commutations for the pe-
 nance due to offences. Becket's agent himself
 acknowledges, *that these complaints were well*
founded, and exhorts him to testify his disap-
 probation of the several causes of them by
 words and deeds. Particularly he desires him,
 if he wrote again to the empress, to express it
 to her: but I do not find that the archbishop
 paid any attention to this honest exhortation.
 Indeed he could not do so, without allowing,
 that Henry's endeavours to reform such grie-
 vous abuses were necessary and laudable.

In one of these conferences with the persons V. Epist. 53.
 employed by Becket, Matilda said, "*that the* ut supra.
king had concealed from her all his intentions

BOOK III. "*and counsels with relation to the church,*
 A. D. 1167. "*because he knew she was inclined to favor the*
"clergy." If this was true, it is a very remarkable proof of the caution and reserve, with which he trusted even those who had the most of his confidence: a part of wisdom very necessary at all times to a prince, and particularly so to him in this instance, if Matilda spoke her real thoughts to the agents of Becket. For, when the constitutions of Clarendon were read and explained to her, she expressed a disapprobation of most of the articles, and blamed the king for having put any of those customs *in writing*, and for having insisted that the bishops should *swear* to observe them; because his predecessors had not thought that these precautions were necessary. To account for this difference between her sentiments and those of her son on this point, it may be sufficient to observe, that she was now drawing very near to the end of her life; and that probably the pope, before he enjoined her to mediate in this dispute, had taken care, that she should know his opinion of those customs.

V. Epist. 53.
 ut *suprà*.

After much discourse with Becket's agents, she pressed them to tell her, what they thought might be a foundation for her to proceed upon, in negotiating a peace between her son and the church. One of them proposed to her, "*that, without any promise or written laws,*
"the ancient customs of the kingdom should be
"observed, with such moderation, as that nei-
"ther the liberty of the church should be taken
"away

“away by the secular judges, nor the bishops BOOK III.
 “abuse it, as he acknowledged they had done:” A. D. 1167.
 and to this she assented. What Henry said to
 it we know not: but, if we may judge of his
 sentiments from a letter he wrote at this time V. Epist. 41.
1. ii.
 to the college of cardinals, he was far from
 desiring a reconciliation with the church, upon
 terms so different from the ideas on which
 he had acted, and liable to so much dispute
 for the future. For there he declares, with all
 the spirit belonging to his character, “that,
 “while he had life, he would not suffer the least
 “diminution of those rights of the crown and
 “customs of the realm, which his illustrious
 “predecessors had enjoyed and maintained in the
 “time of holy Roman pontiffs.” And the ut-
 most advance he makes is a general promise,
 “that if, after having heard what he had to
 “alledge in vindication of himself, the pope
 “should be of opinion, that he had done wrong
 “or gone too far in any particular, he was
 “very willing to do whatsoever might be pro-
 “per, as he should be advised thereupon by his
 “clergy and barons, agreeably to the customs,
 “the dignities, and the majesty of his king-
 “dom.”

This was keeping the affair in the hands of
 the parliament, and even tying them down, in
 any counsel they should give him, to a con-
 formity with his laws and royal prerogatives.
 He farther added, “that, if any person should
 “attempt to obstruct those laws and preroga-
 “tives, or anywise derogate from them, he should

BOOK III. "*esteem him a publick enemy and manifest traitor to the kingdom.*" There is also a letter

A. D. 1167.

V. Epist. 42. written by Matilda to Becket, after she had

L. ii.

begun to negotiate with her son, and knew his mind, in which she affirms to that prelate, and bids him reckon upon it as a most certain truth, "*that it would be impossible for him to regain the king's favor, unless by great bu-*

V. Epist. 44.

L. ii.

mility and most evident moderation." It appears by another letter, that the archbishop of Rouen was joined by Alexander in this mediation with the empress; and that Henry, in his answer to that prelate's exhortations, had complained of Becket, as having acted against his person and kingdom *in a very iniquitous, insolent, seditious, and rebellious manner: most wickedly endeavouring to defame his reputation, and, as far as he could, to diminish the dignities of his realm.* But the negotiation was ended by the death of Matilda. On the tenth of

V. Chron.

Beccenf. sub

ann. 1167.

Diceto Imag.

hist. sub co-

dem anno.

See also An-

tiquités de la

Ville de

Rouen.

September, in the year eleven hundred and sixty-seven, she died at Rouen, to which city she had been a munificent benefactress, having built there a stone bridge, which was accounted one of the noblest works of that age; the river Seine, which it traversed, being deep and broad in that place, and the tide flowing with great strength. Her bounty was likewise displayed in many pious and charitable donations, exceeding those of any king contemporary with her in the whole christian world. Nor yet was she satisfied with the acts of publick spirit and charity done in her life-time,

but

but left by her will large sums of money to ^{BOOK III.} lepers and other poor people, as well as to ^{A. D. 1167.} convents and churches; which her son paid, with a most exact and honourable fidelity, according to her directions. When he had acquitted himself of that duty, and seen her body interred, as she had desired it might be, in the abbey of Bec, he sought a remedy for his grief by renewing his attention to publick business.

The earldom of Mortagne, which had descended from King Stephen to his younger son William, was, on the decease of that monarch, considered as an escheat, and granted by Henry, in the year eleven hundred and sixty-nine, to his own youngest brother, who dying without issue, in the year eleven hundred and sixty-four, this great fief was re-annexed to the demesne of the dukes of Normandy, from which it had been formerly granted to Stephen by King Henry the First. But the earl of Boulogne, who had married the daughter of Stephen, claimed it in her right. The question was whether the fief was heretable by females: for all were not so at this time. But the custom of making them so being now become general, the pretension of this prince was supposed to be equitable, and strongly supported by his brother, the earl of Flanders. Whether they made their demand immediately after the death of William Plantagenet, or not till the year eleven hundred and sixty-six, when, the affairs of Henry being more embar-

M 4

raſt,

BOOK III. raft, he could less safely resist an application of
 A. D. 1167. this nature, I cannot discover: but it appears

V. Epist. 44. Boulogne to some revenues in England, which,
 l. i. as he asserted, belonged to him *by ancient right*.

These must have been the grants made by William the Conqueror to Eustace earl of Boulogne; and as Stephen had possessed them by virtue of his marriage with the daughter of Eustace, so his daughter, to whom the rights of her mother had devolved, might give her husband a title to them indisputably good. But it is probable that King Henry, upon the death of her brother, and while she was still in her convent, had given them to some baron, whom he was unwilling to deprive of them upon her quitting the veil. Whatever his reasons may have been, he rejected the demand of the earl of Boulogne, both with relation to these, and to the earldom of Mortagne; which so exasperated the two brothers, that they jointly formed a design of invading his kingdom, while he was detained on the continent, and necessitated to employ a great part of his strength in sustaining the war against Louis. Six hundred vessels were prepared by the earl of Boulogne, to carry over into England an army of Flemings; and I doubt not that the plan of this invasion was concerted with the kings of France and of Scotland, and with the princes of Wales. Perhaps too they might count upon the intended

tended excommunication of Henry by Becket, **BOOK III**
 and upon the interdict with which he threaten- **A. D. 1167.**
 ed the realm; from whence it was probable
 such intestine commotions might arise, as
 would greatly favour their purpose. It has
 been mentioned before, that the close alliance
 of Henry with the earls of Flanders and Bou-
 logne was one of the reasons that made him
 not very solicitous, in the first years of his
 reign, to re-establish the maritime power of
 his kingdom, which had declined under Ste-
 phen; as he thought it certain that their
 shipping would on all occasions be employed
 rather to serve than annoy him. But there
 is no permanent safety in any reliance on a
 foreign defence, especially if it produces or en-
 courages a neglect of any necessary part of the
 national strength. This Henry now ex-
 perience; and he might have suffered ex-
 tremely by the low state of his navy, if the
 number and discipline of his English militia
 had not supplied that defect. Richard de
 Luci, as grand justiciary, and guardian of the
 realm in the absence of the king, commanded
 these forces; the earl of Leicester, at this time
 being disabled from acting, by an ill state of
 health, which not long afterwards caused his
 death. By the care and conduct of Richard, **Gerr. Chron.**
 all the coasts were so covered with large bodies **sub ann.**
 of soldiers, whom the laws of those times had **1167.**
 trained to arms, and enabled the crown to
 call forth upon any emergency, for the defence
 of the kingdom, that the two earls were deter-
 red,

BOOK III. red, notwithstanding the superiority of their maritime forces, from attempting to land.
A.D. 1167.

Epist. 44. l. i.

See P. Daniel
 Histoire de la
 Milice Fran-
 coise, t. i.
 l. iii. p. 146,
 147.

Yet Henry, in all whose counsels resentment yielded to policy, being apprehensive that their enmity might hurt him on the continent, and encourage the king of France to continue a war, which he desired to end, offered the earl of Boulogne, in lieu of all claims, an annual pension of a thousand pounds sterling, which in those days was equivalent to one of fifteen thousand in these. Both the brothers hereupon declared themselves satisfied; and the earl of Boulogne obliged himself, by the conditions of the treaty, to serve the king as his vassal; the pension he was to receive being considered as a *benefice*, which required from him a return of homage and fealty. These stipulations were in reality of much the same purport with the *subsidiary treaties* of our times. And certainly, though it is dangerous and impolitick in government to trust its defence and security to foreign forces *alone*, or to place its *chief dependence* upon any aids from abroad; yet to corroborate and increase the strength of a nation by treaties of this kind with foreign powers has ever been esteemed an act of good policy, and practised by states the most renowned for their wisdom and military virtue. The kings of England particularly, even those of the highest spirit and most warlike dispositions, have continually done it, from the earliest times. But they took great care that the payment of these stipulated pensions to foreign princes

princes should not be construed to imply any **BOOK III.**
dependence on those to whom they gave them ; **A. D. 1167.**
 but should appear to be an act of political
 prudence, in which, though the interest of both
 the contracting parties was considered alike,
 yet *the superiority* was supposed to be on the
 side of *the giver*. William of Malmshury **V. Malmsh.**
 tells us, that King Henry the First, when **de Hen. I.**
 Robert the Second, earl of Flanders, arrogantly **L. v. f. 90.**
 demanded of him a pension, or annual subsidy,
 of three hundred marks, which the earl's father
 had received from William Rufus, returned
 this answer, " that the kings of England were
 " not accustomed to pay *tribute* to the Fle-
 " mings ; nor would he, through fear, bring a
 " stain on the independence and liberty of his
 " crown, which his predecessors had maintain-
 " ed. If therefore the earl would trust to his
 " inclinations, he would, when he found oc-
 " casion, *give to him*, as to a relation and a
 " friend ; but any *demand* of this nature should
 " be absolutely refused." This was a decla-
 ration agreeable to the wisdom and dignity of
 that king ; but, having shewn a proper spirit
 in resisting the claim, he afterwards followed **See Rymer's**
 the policy of his father and brother, in at- **Foedera, v. i.**
 taching to himself, by a subsidiary treaty, the
 master of a country, which was so convenient-
 ly situated either to assist or annoy the realm
 of England.

Similar measures were taken by King Henry **Ibidem, p. 25.**
 the Second. In the year eleven hundred and **See it also in**
 sixty-three he concluded a treaty with Theodo- **the Appendix**
 rick **to this book.**

rick

BOOK III. **A. D. 1167.** rick earl of Flanders, and Philip, his son; by which they agreed to become vassals to him and his son, the heir apparent of his crown, in consideration of a yearly pension of five hundred marks; four hundred of which were to be paid to Theodorick, and, after his death, to his son; and one hundred to his consort, the countess of Flanders, who was aunt to King Henry: but, in case of her death, the whole sum of five hundred marks was to be paid to the earl. This pension is declared by the words of the treaty to be a *feudal grant*; and, in return for it, besides the homage and fealty, which the earl and his son were obliged to, they particularly promised, that they would faithfully assist the king and his son to maintain and defend the kingdom of England against all persons whatsoever; only with a reserve of their fealty to Louis their sovereign; and that, in case of an invasion of the said kingdom by any other foreign power, or of any considerable rebellion within it, the one or the other of them would come to the assistance of the king and his son, *with a thousand knights, or military tenants, each of whom* (as appears by one article of the treaty) *was to bring with him three horses.* The term of their service was not limited to any number of days, but was to be regulated by the necessity which called them over. And they were bound, if required, to take an oath to the king, upon their arrival in England, that they would be true to his service. The king, or his son, was to find ships to bring them

them over and carry them back into Flanders, BOOK HL
 and was to maintain them the whole time of A. D. 1167.
 their abode in England, and indemnify them
 for all losses sustained by them there, in the
 same manner as was customary with respect to
 the knights of the king's own household.
 Certain cases were mentioned, in which the
 earl and his son were to be freed from the
 obligation of coming over to England and
 serving in their own persons; but no ex-
 ception was specified with respect to the troops,
 which, even in case of an invasion from the
 king of France, were to be sent into England,
 when summoned by Henry, and to be ready
 to embark within forty days after the summons
 were received. The earl and his son were to
 use their utmost endeavours, by counsels and
 entreaties, to hinder the king of France from
 invading England in person; but if he should
 invade it, and bring over with him either the
 earl or his son, they promised to come with a
 few of their own forces, as they possibly could
 without incurring a forfeiture of the fief they
 held of the French crown.

By another article of this treaty, any vassals
 of Flanders were permitted to serve the king
 of England or his son; and a free passage was
 allowed to them from the several ports of
 Flanders, or of the earldom of Boulogne.

These were the principal articles relating to
 England. There were others by which the
 earl of Flanders and his son engaged likewise
 to bring some cavalry to the king or the prince,
in

BOOK HI

A. D. 1167.
See Rymer's
Foedera, v. i.

in Normandy or in Maine, upon terms somewhat different, which it will not be necessary to particularise here. The whole was formed upon the plan of a subsidiary treaty, or convention, made in the year eleven hundred and one, and renewed two years afterwards, by King Henry the First, with Robert the Second, earl of Flanders. A transcript of it from Rymer's Foedera is inserted in the Appendix belonging to this book, as it contains many things, which, to the curiosity of an antiquary, may be worthy of notice.

V. Annales
Baron. 1167.
& Francisci
Pagi Breviar.
pontif.
Otho Muro-
na, sub eo-
dem anno, et
Chron. apud
Murat.
V. etiam
Chron. Tri-
vet. sub eo-
dem anno.

While these affairs were transacting on this side of the Alps, Pope Alexander had in Italy experienced two great revolutions of fortune. The emperor's arms, in the spring and summer of the year eleven hundred and sixty-seven, had been so successful, that he had entered Rome as a conqueror, and had caused himself and the empress to be crowned by the antipope, on the thirtieth day of July, in the church of St. Peter; Alexander having been forced to yield to his competitor the Lateran palace, and fly to Beneventum. But, on the second of August, the imperial army was attacked by a pestilential fever, caused by the bad air of Rome, which in that season of the year is mortal to strangers, especially after rain, a great quantity of which then happened to fall, and was immediately succeeded by violent heats. The distemper raged with such violence, that in six or seven days the emperor lost the greatest part of his forces, and almost all the nobility that attended him

him in this expedition, among whom was his chancellor, the archbishop of Cologne; his cousin-german, the duke of Rotenburg, who was son of the late emperor, Conrade the Third; and several other great princes and counts of the empire. To save the remains of his army, he was obliged to retire from Rome and the Campagna; but the contagion pursued him: two thousand died on their march, before he could get into Lombardy; and most of those who survived continued for some time in a sick and languid condition. This sudden calamity, which Becket, in a letter to Alexander, compares to the destruction of the Assyrian army under Sennacherib, gave such a weight to the sentence of excommunication and deposition which that pontiff soon afterwards pronounced against the emperor, that most of the cities in Lombardy revolted from him; and Rome itself would have returned under the power of Alexander, if the hostages given to the emperor by the principal citizens had not restrained the senators from admitting him within the walls.

BOOK III.

A. D. 1167.

V. Epist. 22.

65. 89. l. ii.

V. Epist. 66.

l. ii.

Such was the state of affairs in Italy, about the time when the legates, sent by Alexander to Henry on Becket's affair, came into France. They had set out from Rome at the beginning of January, but did not arrive at Montpellier till the end of October in the year eleven hundred and sixty-seven, having, in order to avoid the emperor's troops, or from other secret reasons, been much delayed in their journey. On their

- BOOK III.** their coming into France, Cardinal William of Pavia wrote to Becket a very civil and amicable letter, excusing some appearances in his past conduct, which that prelate might have seen in disagreeable lights, by the necessity he was under of endeavouring to gain such a credit with the king as might render his intercessions for peace more effectual. To this Becket wrote an answer so rude and offensive, that John of Salisbury, to whose inspection he thought proper to submit it before it was sent to the cardinal, frankly told him, “ that, in his judgment, *a courier of the pope ought not to have received such language from him*; and that, *if the cardinal were to send both letters to the pope, his own writing would convict him of the charge of rancour and contumacy brought against him by the king.*” Whereupon he wrote another, and then a third, which he likewise submitted to the corrections of his friend; but still there remained such a bitterness and virulence in the style, that John of Salisbury expressed himself much dissatisfied with them, and composed one for him, which was probably sent to the legate. He himself wrote another, full of the grossest adulation, to Cardinal Otto, the colleague of William of Pavia, who, he thought, was less his enemy, though not much his friend. Notwithstanding the notoriety of his being displeased with the legation itself, as unnecessary and hurtful to his affairs, he told this legate, “ that upon the news of his coming the whole congregation
“ of
- V. Epist. 9.
l. ii.
- V. Epist. 19.
l. ii.
- V. Epist. 20.
l. ii.
- V. Epist. 10,
11. l. ii.
- V. Epist. 25.
l. ii.
- V. Epist. 18.
l. ii.

“ of Christ’s banished flock triumphed with joy BOOK III.
 “ and thanksgiving: as if an angel had been A. D. 1167.
 “ sent down from heaven to comfort the church
 “ and free the clergy: and that, although his
 “ colleague was suspected by many as a favorer
 “ of the king, and capable of being corrupted
 “ to the ruin of the church; yet it was be-
 “ lieved, that he, with Moses, had the angel of
 “ the Lord; that is, the holy spirit, going before
 “ him in the law, who would always protect
 “ him, and not suffer him to have another God,
 “ or to prefer either rewards, or person, or
 “ cause, to the divine word.” In another part
 of this letter Becket expresses a hope, that the
 suspicions conceived of William of Pavia
 might be false, and that his intimacy with
 Henry might turn in the end to the deliver-
 ance of the church, the salvation of the king,
 and the glory of God; but cautions both the
 legates not to put any confidence in those false
 prophets, those Balaams, the English bishops;
 and tells Cardinal Otto, that he believes him
 to be “ the man of God, sent into England to
 “ relieve the desolate Shunamite, and cure the
 “ powerful Syrian of his leprosy; but at the
 “ same time to inflict on the Gehazis who fol-
 “ lowed him the punishment they deserved.”
 And, among the effects which he expected
 from the recovery of Henry, he mentions a full
 restitution of all that had been taken from him-
 self and his friends, with security and favour to
 them, and liberty and peace to the church:
 adding, “ that it was to be hoped, from the pe-
 VOL. IV. N “ nitence

BOOK III. "nitence of the king, that he would not contend
 A. D. 1167. "any longer for the maintenance of his customs,
 "which the pope had condemned with the una-
 "nimous consent of the cardinals; nor require
 "any oaths, which could not be kept without
 "violating the catholick faith and religion."

V. Epist. 22.
 l. ii.

All these things were thrown in to make the cardinals sensible of the inutility of attempting, by any gentle methods, to mediate a reconciliation between him and the king, who they might be sure would not yield to such demands. And, as William of Pavia had said, in the letter he sent to him, that he was come, with his colleague, to determine the questions between him and the king of England, he took great umbrage at these words, and wrote thereupon to the pope, "that, from
 "the tenor of the letters which he and the
 "King of France had received from his Holiness, he had rather expected the consolation
 "of peace, than the confusion which would arise
 "from the decision of questions between him and
 "the king of England." He likewise ventured to say, "that the cardinal above-mentioned was
 "not a person to whose authority or judgment in this cause he ought to be subject;
 "it being contrary to all justice, that he should
 "submit to be tried or examined by one who
 "sought to traffick with his blood." Wherefore
 "he entreated his Holiness, that he would at
 "least annul the authority of this legate so far
 "as it had any relation to him or his cause."
 This request was partly founded upon a report,

or surmise, which then prevailed, that the see of **BOOK III.**
 Canterbury was promised to William of Pavia, **A. D. 1167.**
 if the deposition of Becket should by his means
 be effected. Whatever truth there might be
 in that surmise, which certainly does not seem
 probable, Henry's eager desire that he should
 be nominated for the determination of this
 cause, and his known attachment to that prince,
 were reasons sufficient to justify the archbishop
 in excepting against him as a judge. But
 since there was no likelihood that Alexander,
 to whom he had done many services, should
 revoke the commission he had given him, these
 complaints and declarations of ill-humour in
 Becket could do that prelate no service; but
 might anger the pope, and render the con-
 ditions of that reconciliation, which this cardi-
 nal was employed to mediate for him, still less
 advantageous.

The two legates, in a joint answer which **V. Epist. 24.**
 they made to his letters, expressed themselves **l. ii.**
 much dissatisfied at his loading their negocia-
 tion with so many difficulties, which they
 thought insurmountable; and plainly told
 him, that the insisting on such points at this
 time, particularly on the restitution of all that
 had been taken from him and his followers,
 would be very imprudent, and was what,
 without the knowledge and consent of the pope,
 they would by no means agree to. After
 many peevish and affected delays on his part,
 they had a conference with him, on the
 nineteenth of November, in the year eleven

BOOK III. hundred and fifty-seven, at Planches, a town
 A. D. 1167. of the French Vexin. On their return into
 Normandy, they sent the pope an account of
 V. Epist. 28. what had passed in that meeting. In this
 l. ii. letter they say, “ that, upon their arrival in
 “ King Henry’s dominions, they found the
 “ difference between him and Becket much
 “ more inflamed than they wished: for he him-
 “ self and the better part of his court affirmed,
 “ that the archbishop had vehemently excited
 “ the king of France against him, and had also
 “ induced his relation, the earl of Flanders,
 “ who before had been void of any rancour
 “ towards him, to defy him on a sudden, and
 “ do all that was in his power to make war
 “ upon him; as he certainly knew, and as, by
 “ evident indications, was sufficiently appa-
 “ rent.” They then proceed to acquaint the
 pope, “ that, in their first audience of Henry,
 “ they delivered into his hands the letters they
 “ brought, which having read and considered,
 “ and finding them less satisfactory to him
 “ than some others which his Holiness had
 “ sent him before on that affair, he shewed
 “ great indignation; and the more, because,
 “ as he told them, he undoubtedly knew,
 “ that since their departure from Rome the
 “ archbishop had received letters, which en-
 “ tirely exempted him from their jurisdiction.
 “ He likewise affirmed, with the concurrent
 “ testimonies of all the bishops there present,
 “ that what his Holiness had been told con-
 “ cerning the ancient customs of England was
 “ not

“ not founded on truth: and further offered, BOOK III.
 “ that if any, which were repugnant to the A. D. 1167.
 “ ecclesiastical laws, should appear to have
 “ been *added in his time*, he was willing to
 “ annul them according to the judgement of
 “ his Holiness.”

I need not observe that in this offer the king
 risked nothing; but the legates continue their
 narration by saying, “ that they had laboured,
 “ conjointly with all the principal clergy of
 “ Henry’s dominions, to prevail upon that
 “ monarch to approve of their acting, not
 “ only as judges, but also mediators, between
 “ him and the archbishop, that all hope of a
 “ reconciliation might not be cut off; and had
 “ sent their own chaplains with letters to
 “ that prelate, in which they named a safe
 “ place, where he might confer with them
 “ on the approaching feast of St. Martin:
 “ But he, pretending some excuses, which they
 “ did not think worth repeating, put off the
 “ day of their meeting till the nineteenth of
 “ November, at which delay the king expressed
 “ a deeper resentment than they could have
 “ believed. And when Becker, notwithstand-
 “ ing the offer they made him of a safe con-
 “ duct, would by no means consent to meet
 “ them on the borders of Henry’s country,
 “ adjacent to the French territory, they so far
 “ deferred to him, as to repair to a place with-
 “ in the bounds of that territory, which he
 “ appointed himself, lest his being deprived of

BOOK III. "the benefit of this conference should be im-
 A. D. 1167. "puted to them."

Considering the respect which Becket owed to the dignity of the legates, and the professions he had made to Cardinal Otto, his behaviour on this occasion can be only accounted for by the arrogance of his temper, and a fixed resolution to avoid, or at least to delay, any treaty with the king. For he certainly could not justify the distrust he expressed of that monarch, in refusing to meet the legates at the place they appointed, even with a safe conduct. There was indeed no occasion for any security, except the honour of those ministers, which Henry, for his own sake, would not have violated. They go on to tell the pope, "that
 "they had begun the conference with the
 "archbishop, by endeavouring to persuade;
 "and earnestly exhorting him, to shew such
 "humility towards the king, who had heaped
 "upon him so many benefits, as might afford
 "them some matter whereon to ground a
 "negociation for making his peace. To which
 "he had answered, after a private consultation
 "with his friends, that he would *sufficiently*
 "humble himself towards the king, *saving*
 "*the honour of God, the liberty of the church,*
 "*the dignity of his own person, the possessions of*
 "*the churches, and the justice due to himself*
 "*and those who belonged to him.* That, upon
 "his enumerating all these exceptions, they
 "had urged to him the necessity of specifying
 "his demands; which he not doing, they
 "asked

“asked him, whether, upon the points that were BOOK III.
 “specified in the letters of his Holiness, he A. D. 1167.
 “would submit to their judgement; as the
 “king and the appellants bishops had promised
 “to do? To which he immediately answered,
 “that he had not received from his Holiness
 “any such command; *but, if he and all who*
 “*belonged to him were first absolutely restored,*
 “*he would then proceed in this matter accord-*
 “*ing to the orders he should receive from the*
 “*apostolical see.* That the conference being
 “thus ended, and his words having been such
 “as had no tendency either to a trial of his
 “cause, or an agreement with Henry, they
 “had made their report to that monarch, con-
 “cealing many things, and softening others,
 “as well as they could. Whereupon the
 “king and his chief nobility began to assert,
 “*that he was now fully cleared by the arch-*
 “*bishop's refusing judgement.*”

Against the truth of this conclusion nothing
 is said by the legates; but they add, “that the
 “English prelates, with many of the clergy
 “there present, earnestly enquired of them,
 “whether by any special mandate, or by their
 “general legatine powers, they could compel
 “him to *submit to their judgement?* And find-
 “ing their authority insufficient, either to de-
 “termine the cause, or to protect the appel-
 “lants against the archbishop, they had una-
 “nimeously agreed to renew their appeal to
 “his Holiness, till the next feast of St. Martin;
 “in the mean while putting themselves and

BOOK III. "the whole realm of England under his protection."
 A.D. 1167.

This was procuring another year of delay, in the course of which they might hope for some alteration in their favour, either from the distress of the pope, or, perhaps, from his death. The legates gave their consent to it, at the same time informing Alexander, "that they had forbidden Becket to attempt any thing, during this interval, against the subjects or kingdom of England." And they concluded with exhorting him "to proceed in this affair with great circumspection."

V. Epist. 30.
 l. ii.

But Becket himself wrote to Alexander an account of what had passed in this interview with them, which contains some particulars not mentioned in theirs, and a laboured defence of his own conduct. After thanking his Holiness for having abridged the authority given at first to the legates, he excuses his having put off the time of his meeting them a little longer than they desired, because he could not assemble so readily his exiled friends, whose attendance and advice he thought he might want. As to the charge brought against him of having incited the king of France and the earl of Flanders to make war upon his sovereign, he says in general, "that he had effaced those suspicions with true and probable arguments; and that the king of France himself, on the following day, had, in presence of the cardinals, so far as he was concerned, *upon oath attested his innocence.*" He adds, that
 "God,

“ God, the searcher of all hearts, knew he was **BOOK III.**
 “ free from this offence ; for he was not so ill **A. D. 1167.**
 “ read in the scriptures as to think, that, in
 “ such a cause, a priest ought to employ carnal
 “ weapons, instead of spiritual, or trust in
 “ princes or in the arm of flesh.” He then
 relates to the pope another particular of his
 discourse with the legates, not related by them-
 selves, “ that he was asked by the cardinal of
 “ Pavia, whether (as he was no better than
 “ his predecessors) he would promise the king,
 “ in their presence, to maintain all those cu-
 “ stoms, which under former kings and arch-
 “ bishops of Canterbury had been maintained ;
 “ and so, complaints on both sides being quiet-
 “ ed, regain his archbishoprick and the king’s
 “ favour, if they could be obtained for him ?
 “ To which he replied, that none of his prede-
 “ cessors had, by any king, been constrained to
 “ make such a profession : nor would he ever
 “ promise obedience to customs which destroy-
 “ ed the liberty of the church of God, tore up
 “ the privileges of the apostolical see, and
 “ were plainly repugnant to the divine law ;
 “ customs, from the observance of which he
 “ had been graciously absolved by his Holi-
 “ ness, in the presence of them and many others
 “ at Sens.” He added, “ That, by God’s
 “ grace, he should never forget those words of
 “ his Holiness, which so well became an aposto-
 “ lical mouth, *that they ought rather to yield up*
 “ *their necks to the sword or the axe, than con-*
 “ *sent to such wickedness, and so forsake their*
 “ *pastoral*

BOOK III.

A. D. 1167.

“ *pastoral charge, out of a scandalous attach-*
 “ *ment to temporal things, or an inordinat*
 “ *love of life.* After this, the constitutions of
 “ Clarendon being read, he asked the legates,
 “ Whether they could be observed, or even
 “ connived at, by a priest, without bringing
 “ both his order and his soul into danger?
 “ Adding, that he had sworn fealty to the king
 “ *saving his order*, and would so keep it to
 “ him, as not to give up the faith he owed to
 “ God. But, being exhorted to comply for
 “ the peace of the church, he urged the danger
 “ of the precedent; that, no person would af-
 “ terwards dare to open his mouth for eccle-
 “ siastical liberty; that, when the pastors gave
 “ way in such a cowardly manner, none else
 “ would contend for the defence of the house
 “ of Israel; and that neither his Holiness, nor
 “ any apostolical man, had ever instructed the
 “ church by such examples.”

These are the principal points in which the letter of Becket differs from that of the legates; but in the bitterness of his heart he could not help filling it with the sharpest invectives against the appellant bishops; reminding the pope, *That they who now thirsted for his blood were the same, who, upon the demand of his past, had expressed by their letters the most entire approbation of his election, and bestowed on his person the highest encomiums; though at present, contradicting both truth and themselves, they had, by the impudence of lying and flattering, made themselves contemptible; and, like the*
slaves

slaves in ancient comedies, first affirmed, and then **BOOK III.**
denied, at the nod of their master. He also **A. D. 1167**
 complained to his Holiness, "That, besides
 "the churches of Canterbury and Tours, the
 "king had for a long time detained in his own
 "hands *no less than seven vacant bishopricks in*
 "*England and Normandy,* and suffered no
 "pastors to be ordained in them. He adds,
 "that the clergy were given up to the soldiers
 "of that prince, to be trampled upon and made
 "their prey. He asks the pope, how he will
 "answer the enduring of this at the day of
 "judgement? Who will resist Antichrist at
 "his coming, if so little opposition is made to
 "the vices and crimes of his forerunners? It
 "is, says he, by such forbearance on our side,
 "that the powers of the world grow insolent;
 "kings become tyrants, so as to imagine that
 "no right, no privilege, is to be left to the
 "church, unless at their pleasure. But blessed
 "is he who takes and dashes their little ones
 "against the stones. For if Judah, accord-
 "ing to the command of the law, does not root
 "out the Canaanite, he will grow up against
 "him to be perpetually his enemy and his scourge.
 "Take courage, father, and be strong; for more
 "are with us than against us. The impious
 "Frédéric has already been crushed by the
 "Lord, who will soon crush others also, if they
 "do not repent, and make their peace with the
 "church." Then referring his Holiness to a
 verbal account, from the messengers he sent to
 him, of some particulars which he did not
 think

BOOK III. think proper to write, he addressees him thus :
 A. D. 1167. “ Of this let your *serenity* be well assured, that,
 “ if I would from the beginning have acqui-
 “ esced in those wicked customs, I should not
 “ need the mediation of any cardinal, nor in-
 “ deed of any man living. In vain do they
 “ plead in defence of them the example of
 “ the Sicilians or the Hungarians, which would
 “ not excuse us in the day of judgement, if
 “ we should prefer *the barbarism of tyrants*
 “ to apostolical institutions, and believe that
 “ *the insolence of secular powers* should be the
 “ rule to direct our life, rather than the eternal
 “ testament, confirmed with the blood and
 “ death of the son of God.” He then com-
 plains very bitterly of the persecution he had
 suffered for the sake of the church ; and asks
 the pope, “ Whether it ought to be the fruit
 “ of his labour and exile, and of the opposition
 “ he had made to *the fiercest oppressor of the*
 “ *church*, in defence of its freedom, that, after
 “ so many miseries sustained by himself, and
 “ by those who were banished on his account,
 “ instead of the consolation which he had so
 “ long expected, and the vengeance due from
 “ God and his Holiness, to the injury done to
 “ Christ Jesus, he should, by the authority
 “ of this legation, be vexed with delay and
 “ chicanery, year after year, and at last have
 “ the right and justice of his cause turned
 “ to the ruin of himself and his unhappy
 “ friends.”

Such

Such was the letter of Becket on this oc-
 casion; a letter full of that mixture of passion BOOK III
 and cunning, which is one distinguishing mark A. D. 1167.
 of his singular character! I would observe upon
 it, that the testimony of Louis, alledged by
 him in vindication of himself from the charge
 of having incited that monarch to make war
 upon Henry, may so far be true, as that he did
 not *directly instigate or advise him to do it*; but,
 that, by indirect methods, by poisoning his
 mind with jealousies and suspicions, and in-
 flaming his bigotry against an oppressor and
 persecutor of the church, he disposed him to
 break all friendship with that prince, can hardly
 be doubted, if we consider the rancour ex-
 pressed in his letters, and the whole tenor of his
 conduct. The probability of it is further con-
 firmed by the manner in which one of his V. Epist. 163.
 nearest and most intimate friends wrote to him, 168. l. ii.
 and to others, upon the events of this war,
 and of other quarrels wherein their sovereign
 was engaged; expressing great satisfaction when
 his enemies seemed to have any advantage
 over him. That similar arts were used to in-
 cense the earl of Flanders, one may reasonably
 suppose; nor was it difficult, for one so ex-
 perience in the world as Becket had been, to
 do this in a manner that would finally answer
 his purpose, without committing any open or
 positive act of high treason.

With regard to the complaint, which Becket
 makes, of Henry's keeping seven bishopricks in
 England and Normandy too long unfilled, it
 must

BOOK III. must be observed, that if, during the absence of
 A. D. 1167. that prelate, the vacant sees in this kingdom
 had been filled up, the persons elected to sup-
 ply them could not have been consecrated with-
 out an offence against his metropolitan rights.
 It appears that Henry was desirous to fill them
 V. Epist. 34. up at this time, by the intervention of the le-
 g. ii. gates ; but the pope, at Becket's request, had,
 by a particular mandate, restrained them from
 interfering in that affair till the archbishop
 should be entirely reconciled to the king.
 What occasioned the delay in the Norman sees
 is uncertain: but it probably was some good
 reason ; as we do not find that the legates made
 any remonstrances to the king on that article,
 or took any notice of it in their letter to the
 pope.

Henry was much discontented at the report
 of the conference with the archbishop, and still
 more at the inability which he found in the
 legates to do him any service. On their re-
 turn into Normandy, he pressed them to hear
 V. Epist. 26. his cause with Becket, and offered to give them
 l. ii. any security they should ask, that he would
 stand to their judgment on every article, *if*
they would render to him what even the lowest
of men had a right to demand from them, justice.
 They replied, that their commission was not
 to judge, but amicably to compose his disputes
 with that prelate. At the end of this con-
 ference he said publicly, and even in their
 hearing (if we may believe an anonymous
 letter

lettet to Becket) *that he wished his eyes might* BOOK III.
never more see the face of a cardinal. Never-
 theless, when they afterwards had their au-
 dience of leave, he begged their assistance and
 intercession with the pope *to rid him of Becket,*
 and spoke with so much emotion, that he even
 shed tears; "at which (says the letter-writer)
 "Cardinal William of Pavia seemed also to
 "weep; but Cardinal Otto could hardly for-
 "bear from laughing." And he adds, "that
 "the latter gave notice to the pope, by a
 "secret channel, that he never would be con-
 "cerned in the deposing of Becket, nor con-
 "senting thereto; *though the king seemed to*
 "*desire nothing but his head in a charger.*"

All the appellat English prelates now wrote
 to his Holiness most bitter complaints of the
 archbishop's behaviour, with relation to them-
 selves, the church, and the kingdom. They
 said, "*he declined to pay the king forty thou-*
 "*sand marks, or more (as his own people affirm-*
 "*ed), or even to make up any account; and denied*
 "*to his sovereign and his master what he ought*
 "*not to deny even to a heathen or publican.*"
 The embezzlement was enormous: for the
 sum he was charged with was equivalent in
 those days to above four hundred thousand
 pounds in these. And the bishop of London,
 in a publick assembly before the legates, en-
 larged upon that point, and treated Becket's
 defence with ridicule and contempt, saying,
 "*the archbishop thought, that, as sins were*
 "*remitted by baptism, so debts were discharged by*
 "*promotion.*"

BOOK III. *promotion.*" The plea indeed was ridiculous, and this Becket well knew; for in the above-mentioned letter he told the pope, *that although he had a confidence in one of the legates, yet there was no man but his Holiness to whom he would venture to commit this cause of the Lord.*

A. D. 1167.
V. Epist. 30.
l. i.

V. Epist. 49.
l. i.

See also Appendix.

That pontiff, before he departed out of France, had granted to this prelate a very extraordinary brief, in which, *by virtue of his own apostolical power*, he reversed and annulled the sentence past by the bishops and barons at Northampton, which, on account of Becket's contumacy in his suit with John the king's marshal, had declared all his goods to be forfeited to the king; "*because (says the brief) an inferior cannot judge a superior, especially one to whom his obedience is due; because all the goods of the archbishop belong to the church, which ought not to suffer any loss or inconvenience for the faults of its pastor; and because the sentence was contrary to the ecclesiastical usage and the forms of the canon law.*" But, even under the protection of such an exemption from the authority of all laws except those of the church, Becket could not be safe from the demand of a debt incurred *before he was a bishop*, during the course of his administration in a civil employment; the equity of that demand being submitted to the judgement of legates from the pope. He therefore desired to avoid any trial upon it, and decide it more advantageously by excommunicating Henry, and forcing him to purchase absolution by an act of grace and oblivion.

livion. But, to his great mortification, soon BOOK III.
A.D. 1168. after the conference between him and the legates, in which he declared, he would not submit to their judgement, *unless he and his friends were first restored*, a condition he was certain the king would refuse, he received from them a letter, forbidding him to pronounce any sentence of interdict against the realm of England, V. Epist. 29.
l. ii. or to excommunicate any person within that realm, till the affair had been brought before the pope, and till his pleasure thereupon should be known: which mandate they grounded upon the authority of Alexander himself, signified to the appellants bishops in letters from that pontiff, produced by them to the legates. He had entertained no apprehensions of this prohibition, when he gave his Holiness an account of the conference with the legates, in the manner related before; and it grieved him so much, that, in the dejection and agony of his mind, he again *prayed* to the pope, as he had V. Epist. 47.
l. iii. done when the two cardinals came first into Normandy, with very indecent and profane applications of scripture. Not long afterwards, he received a letter from Alexander, in which, V. Epist. 91.
l. ii. after exhorting him not to sink under the weight of his afflictions, but remember, that “*blessed are they who suffer persecution for righteousness sake,*” that pontiff gave him this judicious and friendly admonition: “Where you are certain that justice and the liberty of the church are *greatly* injured, do not endeavour to make your peace with the

O

Vol. IV. “king

BOOK III.

A. D. 1168.

king to the depression and diminution of the ecclesiastical dignity: but nevertheless, as far as it can be done, saving *the honour of your office* and the liberty of the church, *humble yourself to him*, and strive to recover his favour and affection; *neither be too much afraid of him, nor require greater securities than you need.*" If the archbishop had discreetly followed this counsel, it would have prevented his death; but *to humble himself* was a lesson he could not learn, nor did he think it consistent with *the honour of his office*. This letter had therefore no effect on his conduct: and, as he was stopt by the pope's mandate from any hostile proceedings, nothing material was done, with relation to the difference between him and the king, for several months. But soon after Midsummer, in the year eleven hundred and sixty-eight, the earl of Flanders, upon some overtures then made by Henry, carried him to wait on that monarch at a certain place on the borders, where a conference between the kings of France and England was appointed to be held. If we may believe what he wrote himself to the pope, it was thought that a reconciliation might have then been obtained for him on the most advantageous terms. But two ministers, whom Henry had sent to Beneventum, returning from thence at this important juncture of time, brought to that prince a letter from the pope, wherein it was ordered by his Holiness, that Becket's spiritual authority over him, or his kingdom, or any persons

V. Epist. 20.
l. ii.

persons belonging to it, should be entirely BOOK III.
suspended, *till that prelate had recovered his* A. D. 1168.
royal favor: whereupon he was so elated, that

he would not so much as see him. And being permitted by Alexander to publish this letter, he sent copies of it to England, and over all the realm of France: nay, he boasted in publick, "*that he had obtained the same privilege as his grandfather Henry the First, who was king, legate, patriarch, emperor, and all that he wished to be, in his own territories.*"

This was only an hyperbolical expression of his triumph; and he had reasons of policy to sound it as high as he could. But he seems, on this occasion, to have exceeded the limits of his usual prudence. For he told the bishop of Worcester, "*that he had now got the pope and* V. Epist. 32.
all the cardinals in his purse." He even de- 58. l. ii.
clared in his family, what bribes he had given, and to whom of the sacred college. All which was immediately repeated to Becket by friends and spies he had there.

What rendered the affliction of that prelate more painful and insupportable to him, was the confidence he had conceived from the prosperous state of Alexander's affairs at the time when this letter was sent. For, by a confederacy of the Lombards, the emperor had been forced to abandon Pavia, which city he had repaired to, after the destruction the sickness contracted at Rome had made in his army; and retiring, or rather flying, from castle to castle, had escaped at last out of Italy, through

BOOK III. the territories of Humbert earl of Savoy and Maurienne, which, not without difficulty, were opened to him, in the utmost extremity of his danger, by the intercession of a near relation of that earl, the marquis of Montferrat. He was even forced, when he came to the borders of Savoy, to go secretly off, by night, with only five of his menial servants, and disguised in their habit. Nevertheless some good reasons might prevail with the pope to grant this favour to Henry. He had a cool and sober mind, which was able to preserve in the midst of prosperity a provident attention to future dangers. Frederick indeed had been driven beyond the Alps; but, his person being safe, his power was still formidable; and the losses he had suffered, from a misfortune superior to all human prudence, were more likely to excite in him a desire of revenge, than subdue or weaken his courage. No regard was paid in Germany to the sentence of excommunication and deposition pronounced against him by Alexander, the summer before. The whole body of the empire remained firm in the party of the antipope. Among a people so numerous and so warlike as the Germans, new armies might soon be raised, and brought again into Italy, to support the cause of that pontiff. The duke of Saxony alone was such a powerful prince, that, whilst he adhered to Frederick, the opposite party might still dread a change of fortune. Alexander's greatest strength was in the protection given to him by

V. Acerb.
Morenz contin.
Struv. period. 7.
parag. 2. de
Frederico
Barbarossa.
P. 1. re Hist.
d'Allem. sub
ann. 1168.
Francisci Pa-
gi Brev. pon-
tiff. sub ann.
1167, 1168.

by the kings of England and France: but the earl of Champagne, who had a governing influence in the French court, wished well to the emperor, and at this very time was endeavouring to negotiate a match between a son of that prince and a daughter of Louis. Whether the latter would refuse this alliance was uncertain; and the bishop of London had told Alexander, not long before, in a private and confidential letter, “that, if King Henry should throw off his obedience to him as pope, there would not be wanting a person to bow the knee to Baal, and take the pall of Canterbury from the antipope’s hands, nor others to fill all the English sees under that idol with great devotion; and that many already wished for such a revolution.” On the other hand, to have sacrificed Becket to Henry would not only have hurt the power of the papacy and the reputation of the pope, but have exasperated Louis, whose regard for that prelate was become an enthusiasm. Under these difficulties Alexander resolved very prudently to keep the affairs in his own hands as long as he could, and prevent either party from going into extremes, which might, in their consequences, endanger his interests. What he wished was, that Becket might be persuaded to desire, and make it his own request, to change his archbishoprick for another out of England. And there is in the Cotton Library a manuscript letter to Henry from Cardinal John of Naples, which affirms to that monarch, “that, if he

BOOK III.

A. D. 1158.

V. Epist. 79.

l. ii.

V. Epist. 38.

l. i.

Cod. Cotton.

MS. Fol.

Claudius

B. ii. f. 268. b.

See it in the

Appendix.

BOOK III. "would follow his counsel, and make a right
 A. D. 1168. "use of the letters which the pope had sent
 "him, *Becket, seeing himself deprived of all*
 "assistance, and certainly knowing that he could
 "by no means ever return to the see of Can-
 "terbury, would voluntarily renounce it, and
 "beg to be provided for in some other see, where
 "he might reside." But in this the cardinal
 was mistaken; and Alexander, who perceived
 that Becket's agents at Beneventum were
 greatly dissatisfied, and that there was reason
 to apprehend he never would consent to any
 such exchange, thought it necessary soon after-
 wards to write him an apology for what he
 V. Epist. 16. had done; which he chiefly grounded on the
 L. iv. danger of driving Henry to engage in a con-
 federacy with the emperor, whom he called
 in his letter *a tyrant, and a flagitious enemy of*
the church: but he assured the archbishop,
 "that, if the king was not reconciled to him
 "by the beginning of Lent (meaning the Lent
 "of the year eleven hundred and sixty-nine),
 "he would *then* restore to him full power
 "to execute the duty of his office, not only
 "upon particulars of dignity in the state, but
 "upon the kingdom itself, and the person of
 "the king, without any obstacle of an ap-
 "peal, *if he should find it expedient for himself*;
 "and provided he did it with the pontifical
 "gravity and deliberation which such a pro-
 "ceeding required."

Before this letter came to Becket, on the first
 notice of that which Henry had published to all

France with so much exultation, the angry prelate had sent to Alexander most pathetic complaints, or rather upbraidings, on that subject; his high spirit being unable to conceal its resentment. He had written in the same style to the college of cardinals; and had engaged some French bishops, and even the king and queen of France, to expostulate with his Holiness on the injury he had done to him and the church. After receiving these letters, the pope wrote to him again, with strong protestations, "that his affection for him was not declined, "but daily increased: that he constantly proposed to maintain and preserve, with the "most diligent care, his honour and dignity, "and the rights of the church; and that he "would faithfully keep the promise he had "given, by restoring him to the plenitude of "his authority on the day he had fixed." He gave the same assurances to the king of France; but he could not be induced to shorten the term, though he had been informed by a letter from a trusty friend in that kingdom, "that, notwithstanding a caution, which conformably to his orders had been given to Louis, not to be alarmed if he should hear that the English ministers at Beneventum had gained some great point against Becket, *because his Holiness would keep the cause of that prelate in his breast*; he was so much disturbed at the boasts which Henry made of the letter he had received, as to complain that his Holiness had broken his word to him, and even

BOOK III.

A. D. 1168.

V. Epist. 14.

l. iv. 46. l. ii.

V. Epist. 19.

20. l. iv. 59.

62. l. ii.

v. Epist. 54.

l. iv.

BOOK III. "to say, in the heat of anger, *that he would*
 A. D. 1164, "*not be stopt any longer, out of regard to the*
see of Rome, from procuring a benefit to him-
self and his kingdom, as he should find it ex-
pedient;" meaning the projected alliance
 with the emperor's son.

Besides the affection this monarch retained for Becket, his own interest now might reasonably incense him against the conduct of Alexander. For the excommunication of Henry would have enabled him to make war against that prince with advantage, or to prescribe the terms of peace. But Alexander pleaded, "that the see of Rome was accustomed rather to suffer any damage and loss to itself by a deliberate conduct, than to sin by precipitation." In short, he would not be driven, by solicitations or menaces, out of that plan, which he had very judiciously settled, as the best for his interest, and pursued with great skill,

V. Epist.
 prædict,

V. Epist. S.
 T. Cantuar.
 108. l. ii.

If we may believe John of Salisbury, this unexpected suspension of Becket's authority was obtained by William of Pavia, who wrote to the pope, "that he apprehended great danger to himself and his colleague, if the archbishop should pass any sentence against the king or his kingdom, while they continued in his territories." Certain it is, from the

V. Epist. 109.
 l. ii.

evidence of Becket himself, who mentioned it as a secret to be revealed to no mortal except the pope and his own most faithful friends, that a messenger whom he had sent, about
 that

that time, to the legates, had received from BOOK III.
 Cardinal Otto a private instruction, to let him A. D. 1168.
 know, “ *that Alexander must not send to them*
 “ *any mandate against the king, whom they*
 “ *would not offend, till they had left his domi-*
 “ *nions, either out of regard to his Holiness, or*
 “ *to any other person.*” Upon which decla- V. Epist.
prædict.
 ration, he immediately dispatched an instruction
 to his agents at Beneventum, strongly to press
 the recalling of those legates without delay.
 Nevertheless it appears, by the above-cited
 letter of John of Salisbury, that they were not
 recalled till the autumn of this year, eleven
 hundred and sixty-eight.

A little before their departure, Cardinal V. Epist. 108.
l. ii.
 Otto, in taking leave of the king, made use
 of that occasion to exhort him to a speedy
 reconciliation with Becket. He replied, “ that
 “ from his affection to the pope and to them,
 “ he would consent to let the archbishop return
 “ in peace to his see, and *take care of his church*
 “ *and his own business.*” This (whatever li-
 mitation he might mean to annex to it by the
 concluding words) was certainly a great con-
 descension, and such as it is probable he would
 not *then* have been brought to, if he had not
 trusted that Becket would refuse to return
 without many other conditions. After a long
 dispute with the cardinal about the royal
 customs, he said, “ that he and his children
 “ would be content with those alone, which
 “ it should be proved that his ancestors had
 “ enjoyed, by the oaths of a hundred men of
 “ England,

BOOK III. “ England, a hundred of Normandy, a hundred of Anjou and of his other dominions.
 A. D. 1168. “ But, if this proposition did not please the
 “ archbishop, he was ready to stand to the
 “ arbitration of three English bishops, and of
 “ three who belonged to his territories on the
 “ continent, namely Rouen, Baieux, and
 “ Mans. Or, in case that even this should not
 “ be thought sufficient, he would submit to
 “ the judgement of the pope, with this reserve
 “ only, that this act should not prejudice the
 “ rights of his heirs.”

If Becket's objection to the constitutions of Clarendon had been (as some have maintained that they were) *innovations*, the first proposal Henry made with regard to the royal customs would have removed all his difficulties. But it was the discordance of them to *the divine laws* upon which he grounded his opposition; and by *the divine laws* he meant the ecclesiastical canons. All that the church, at any time, had illegally obtained or usurped from the state, he supposed to be its just right; and all attempts made by the state to recover what it had lost, or to oppose future encroachments, he treated as sacrilege. The king therefore must have been sensible that his first proposal would not be accepted by Becket: he risked more in the second: but, undoubtedly, in the last he went a great deal too far; because, though he articulated that this act should not prejudice the right of his heirs, yet such a concession made for his own life-time, besides the
 the

the present detriment and injury to the state, BOOK III.
 would have laid succeeding princes under very A. D. 1168.
 great difficulties to recover that right from a
 power so assisted by the bigotry of the people,
 and which knew so well how to convert the
 shortest possession into a permanent claim.
 In all probability, this was rather a com-
 pliment lightly thrown out, to shew his desire
 of an agreement with the church, and to load
 the archbishop, than a deliberate purpose, upon
 which he sincerely intended to proceed. Being
 asked by the cardinal, “ what he would do V. Epist. 108.
l. ii.
 with regard to the restitution demanded by
 Becket, and to which he was bound in con-
 science?” he answered, “ he would do no-
 thing;” attesting with many strong oaths, *that*
all he had taken from that prelate himself, or
from those banished with him, he had bestowed
on poor churches.”

The conference ended with intimations from
 the cardinal, “ that, if he did not follow other
 “ counsels, and act with more lenity, *he would*
 “ *be called to an account by God and his church*
 “ *more severely and more speedily than he be-*
 “ *lieved.*” The other legate thought it neces-
 sary to speak a similar language in his audience
 of leave; and he likewise was heard without
 regard by the king. But, not long afterwards,
 Cardinal Otto, discoursing with Becket, asked
 him, *whether he would consent to give up his*
archbishoprick, on the condition of the king's re-
nouncing his customs? To which disagreeable
 question the archbishop replied, “ that the cause

“ was

BOOK III. " was not equal ; because the king was bound
 A.D. 1168. " in duty, and for the good of his soul, to re-
 " nounce those customs ; but he could not,
 " without betraying the honor of the church,
 " give up his archbishopsrick." This answer,
 artful as it was, appeared so repugnant to the
 disinterested zeal which he had professed, that
 V. Epist. 110. the bishop of Worcester said publickly, "*it*
 L ii. *was now evident, that the archbishop of Can-*
terbury was not sincere in the cause he main-
tained, but sought his own private interest, not
the liberty of the church :" adding, "*that he*
himself was ready to give up his own bishopsrick
on the same condition :" which words were of
 no little disservice to Becket ; as he who spoke
 them was esteemed a most zealous churchman.
 But the friends of the primate apologized for
 him by saying, "*that the king might revoke,*
at pleasure, his benignity to the church, and re-
duce it again to its former servitude, or a
worse : but, after such an example, no man
would again assert its freedom : for who could
have courage enough to take up the cause, in
which, and for which, he remembered that so
great a prelate had fallen ?" John of Salisbury
 V. Epist. affirms, in a letter on this subject, "*that, to his*
 predictam. *knowledge, Becket was absolutely determined ne-*
ver to change his see for another, nor desist
from prosecuting his right, nor make a peace
with the king, if the constitutions, about which
the controversy had arisen, were not given up."
 There is also a letter from the archbishop him-
 self, written not long before, wherein he in-
 structs

trusts his agents at Beneventum, "*plainly and* BOOK III.
fairly to let his Holiness and his other friends A. D. 1168,
know, that he would sooner suffer himself to be
put to death, than to be torn, while alive, from
his mother, the church of Canterbury, which
had nursed and exalted him to what he was at
this time." He likewise bid them add, "that,
were there no other objection, but the king's
taking from this and other churches in England
what of right belonged to them, he called God to
witness, that he rather chose to die the most cruel
death, than shamefully live, that monarch being
permitted to do these things, and not receiving
from him the punishment due to them unless he
made satisfaction."

During the course of these transactions
 Henry's affairs had been embroiled with in-
 testine commotions in several parts of his ter-
 ritories belonging to France. The truce,
 made in August of the year eleven hundred
 and sixty-seven, between him and Louis, had
 been a suspension of open, but not of secret
 hostilities, on the side of the latter, who en-
 couraged some nobles in the dutchy of Aquis-
 taine to take up arms against Henry, with the
 promise of assistance on the expiration of the
 truce at the end of the Easter holidays in the
 following year. The Norman chronicle im- Chron. Norm.
sub ann. 1167.
 puts their intended insurrection to no other
 cause than a licentious desire of plunder and
 rapine, which, indeed, in that country was of-
 ten sufficient to excite a civil war. But an-
 other

BOOK III. other historian ascribes it, with more probability, to their discontent against Henry, on account of some franchises he had lately taken from them. A power of oppressing the commons with impunity was frequently claimed, as a privilege of nobility, by the feudal barons of Aquitaine; but their present duke was not so patient of any franchise of that nature as some of his predecessors. Whatever the cause may have been, the confederacy was strong, and, had the secret been kept till the expiration of the truce, might have produced a diversion of great advantage to Louis. But Henry's vigilance soon discovered, and punished their treason. On the first intelligence of it he marched into Poitou; and, though it was now the middle of winter, laid siege to Lusignan, the principal fortress of the confederate barons, which he presently took and destroyed. When this barrier was broken down, all the lands of the insurgents were ravaged by his soldiers, who met with no resistance. Thus, by the great celerity with which he acted, the strength of this rebellion was crushed and overpowered in its first beginning; after which he left the government of the province to Eleanor, its natural sovereign, and went back into Normandy. Negotiations for a peace between him and Louis had been carried on for some months. Soon after the first conference of Becket with the legates, John of Salisbury wrote to the bishop of Poitiers, "that Henry and the earl of Champagne were then con-

tending,

V. Epist. 26.
66. l. ii.

A. D. 1168.
Gervase, sub
ann. 1168.

“ tending, which of them should outwit the
 “ other in the treaty.” And he says, in another letter, “ that the earls of Flanders and
 “ Champagne, at the desire of that monarch,
 “ had formed the plan of a treaty, and communicated it to Louis in a great council at
 “ Soissons,” which seems to have been convened between Christmas and Easter in the year eleven hundred and sixty-eight, soon after the return of Henry from Poitou. The conditions proposed were so fair, and the mediation of the two princes who pressed them upon Louis had so much weight, that, however averse he might be to any peace at this time, he did not think it adviseable for him to reject them.

BOOK III.

A. D. 1168.

All being agreed to on his part, the earl of Champagne was setting out to wait upon Henry, in order to receive his ratification of the treaty, when an incident happened, which again retarded the peace. The lords of the house of Lusignan, after Henry's departure from their country, had attempted to rebuild their ruined castle; which being informed of, he determined to go instantly thither, and oppose their design, but left full powers to the three ministers of the highest rank in his court, Richard de Humet justiciary of Normandy, the archbishop of Rouen, and Richard de Luci justiciary of England, to conclude the peace for him according to the conditions which Louis had accepted. There was nothing in this proceeding at which that monarch could reasonably

V. Epist. 66.

l. ii.

BOOK III. reasonably take any umbrage; but either he
A. D. 1168. really suspected, or pretended to suspect, that Henry meant to disavow the act of his ministers, with regard to any articles which he afterwards might dislike. Upon this groundless apprehension he acted so violently, that he went directly to Bourges, and made a treaty with the confederate nobles of Aquitaine, by which he engaged to assist them, and make no peace with Henry, till he had obtained one for them with an entire restitution of all they had lost. This put a new difficulty in the way of the mediators, and made Henry apprehend a troublesome war in Poitou as soon as the truce with Louis should expire. He therefore strengthened that province, and all his dominions beyond the Loire, with numerous garrisons; and, having appointed the earl of Salisbury his general in those parts, went to meet the king of France, at a place appointed for their interview by the former conventions. But Louis refused to see him, unless he would assure to the nobles of Aquitaine a safe peace and restitution of all the possessions he had lately taken from them; yet so as that neither party should be obliged to rebuild the castles or houses they had burnt. He submitted to this; and personally pledged his royal faith to the nobles who treated for Louis, in the absence of that king, that he would observe all the articles agreed upon at Soissons; a reciprocal engagement being taken by them in the name of their royal master, except with regard to
 one

one article, which he afterwards gave his assent to; namely, the contracting of one of his daughters to Prince Richard Plantagenet.

BOOK III.

A. D. 1168.

When they had made their report to him of what they had done, he consented to see Henry, and swear to the peace. John of Salisbury wrote to the archdeacon of Exeter, that, before Henry could bring the king of France to this promise, he was forced to solicit the assistance of all the friends he

V. Epist. 66;
l. ii.

could make in the French court; and that applying himself, in a more particular manner, to the bishop of Chartres, whose reputation for piety gave him a principal place in the favour of Louis, he implored that prelate, with an air of great cordiality, "*to reconcile him to his liege-lord the king of France, with whom, and for whom, he was ready to go to a holy war against Ægypt.*" The bishop asked, "whether he really meant what he said?" To which he

replied, "that he did, and had never done any thing with a better will in his life, if it would please *his lord*, the king, and if that prince would only give him leave, before he set out, to settle his family and provide for his children." The bishop reported his words to Louis, who answered, "*that he was ashamed of having been so often deceived; and should never believe that Henry spoke from his heart, till he saw the cross on his shoulder.*" But John

V. Epist.
predict.

of Salisbury says, "that although he expressed such a distrust of the sincerity of this offer, he was yet influenced by it in some degree,

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P

" and

BOOK III. "and inclined the more to a peace on that
"account."

A. D. 1168.
Gerv. Chron.
& Hoveden,
sub ann. 1168.
Chron. Norm.
Epist. 66.
L. ii. ut supra.

While these negotiations were depending, the earl of Salisbury was surpris'd and treacherously murdered, on his return from a pilgrimage, by Guy de Lusignan, and others of the same family. Henry, who never suffered an outrage of this nature to be committed with impunity, even where his own dignity was not so immediately and highly concerned, ordered an army to march, with the utmost expedition, against these noble assassins, who refused to obey his summons. Guy, dreading the vengeance impending over his head, fled out of Poitou and went into the Holy Land, where he met with extraordinary revolutions of fortune, an account of which will be given in the latter part of this work. The confederates in his crime found likewise an asylum in the court of King Louis from the punishment due to their guilt; but their lands were all destroyed by Henry's troops. They had the impudence to complain of this to Louis, as a breach of the stipulations between him and Henry: which complaints he received with as much warmth of resentment, as if justice and law had been clearly on their side; insomuch, that he declared, he would not meet the king of England according to his engagement, unless that monarch would first grant a safe conduct to them, that they might attend at the place of conference, and would give hostages to secure them against any injury from himself

or

or his subjects, in coming thither, or during BOOK III.
 their continuance there, or while they were A. D. 1168.
 returning. This declaration might be deemed

an act of hostility, rather than a preliminary
 to the conclusion of a peace, the conditions of
 which had been settled. John of Salisbury owns, V. Epist.
prædict.
 "that Louis wished for a pretence to break

"his conventions." He also says, "that some
 "thought Henry would not by any means en-
 "dure such an ignominy, as to be obliged to
 "grant a peace, and to make restitution, to
 "those who had assassinated one of his peers,
 "and with so much contumacy resisted his
 "orders. But others were of opinion, that as
 "he was crafty, and saw himself now in great
 "streights, *he would recur to his usual arts of*
"simulation and dissimulation, and avenge him-
"self on his enemies at a more convenient time."

Certain it is, that this prince had sufficient
 cause to resent the proceedings of Louis; but
 he had likewise strong reasons to conceal that
 resentment, and submit to some indignities,
 which upon other occasions he would not have
 endured, rather than venture to let the war be
 renewed at this very unfavourable juncture of
 time. For, as yet, he had not received the
 letter from Alexander, which secured him from
 the censures he was threatened with by Becket.
 Seeds of sedition had been sown and conspira-
 cies formed in expectation thereof, not only in
 Poitou, but in the dutchy of Bretagne, which
 he governed as administrator during the non-
 age of his son. A secret treaty had been made, V. Chronica

BOOK III.**A.D. 1168.**

not long before Easter, in this year eleven hundred and sixty-eight, between Louis and Earl Eudo, against whom Henry had given sentence in favour of Conan concerning their claims to that dutchy; whereby the earl, in conjunction with the powerful lords of Dinan, engaged to take up arms against Henry in those parts, though, by a late compact with that monarch, he had been put into possession of a great part of Bretagne. Louis promised to assist them at the expiration of the truce, intending, if they should prove successful in their enterprize, to overturn the whole settlement made by the late duke upon Geoffry Plantagenet, and give the dutchy to Eudo. What grievances were alledged by the lords of Dinan, to justify their revolt, we are not told: but most probably it was owing to the restraints Henry laid on the licentiousness of the nobles. Having been used, for many years, to call anarchy freedom, they now thought they were oppressed, because they were governed. Undoubtedly they, and Earl Eudo, their confederate, relied much on the hope, that Henry would be soon excommunicated by Becket, which, from the bigotry of the times, would have had a mighty effect on the minds of the people, and have made any quarrel seem just against a prince driven out by the church from all Christian society, and delivered over to Satan.

While they were concerting their measures, Henry, who had always good intelligence, having

having discovered their plot, summoned them **BOOK III.**
together with Eudo, to come and serve him **A. D. 1168.**
against Louis, in case the war should be renewed between him and that king at the end of the Easter holidays; which they refusing to do, he prudently waited till he had tied the hands of Louis by the covenants above-mentioned, and then fell upon Eudo, whose chief castle he took and demolished. Another fort being also surrendered to him soon afterwards, he put into it a garrison of his own soldiers, and finding no further obstacle deprived the earl of all the fiefs he had granted to him before, and of all his patrimony in Bretagne. Among the former was confiscated the town of Vannes, one of the best in the dutchy, which the king retained in his own hands. He next exerted his indignation, with equal celerity, upon the lords of Dinan, laid waste their lands, and took from them three castles belonging to their family, two of which he destroyed; but was forced to stop his career before he had utterly ruined them, that he might attend upon Louis, eight days after midsummer; till which time their engagement to hold a personal conference, for the ratification of the treaty, had been deferred. That prince must have felt himself exceedingly mortified at the defeat of his friends and confederates in Bretagne, while he was disabled from acting to their benefit or relief by the suspension of arms before concluded. In this temper of his mind the insinuations of Becket, or of

BOOK III. Becket's friends in his court, working upon
 A. D. 1168. him more strongly, he sought for any pre-
 tences to avoid or delay the conclusion of the
 peace, which he had agreed to with reluctance.

V. Epist. 32. The revolted barons of Bretagne, whom Henry
 l. ii. had chastized, demanded vengeance; or satisfac-
 tion, for the mischief he had done them;
 and Earl Eudo complained to Louis, not only
 of the losses he had sustained in his property,
 but of a grievous outrage committed against
 the honour of his family, declaring with great
 lamentations, that his daughter, whom he had
 delivered, as a hostage of peace, into the
 custody of Henry, on the late agreement be-
 tween them, *was with child by that prince.*
 The mother of this lady being niece to the
 empress Matilda, Henry's amour with her,
 according to the doctrine of the canonists in
 those days, was accounted incestuous. But
 the debauching of a noble virgin, entrusted
 to him as a hostage, was such an offence as
 wanted no aggravation to render it more
 odious. Her father's breach of his faith, for
 which he had made her a pledge, might possi-
 bly seem to the passions of the king an excuse
 for this enormity: but he should have punished
 the treason without violating the laws of ho-
 nour himself. Louis received the earl's com-
 plaint with great and just indignation, and
 some others, not so well founded, which the
 confederate nobles of Aquitaine, to whom
 Henry had given the safe conducts they desired,
 now urged with great warmth, as if the losses
 they

V. Epist.
 prædict.

they had suffered had not been the consequences of their own disobedience; and a vengeance due to the blood of his general, the earl of Salisbury, whom they had basely and perfidiously slain. Many messengers passed, with much altercation on this point, between the two kings; during which Henry remained at la Ferté Bernard, without going to the place appointed for their conference, about two leagues from that town, on the banks of the Huines; and Louis resided at Chartres, on the other side of that river. After some time Henry promised, that he would restore to these nobles all he had taken from them; but a certain abbot of that country demanding also the restitution of some lands appertaining to his abbey, and asserting that the abbey was held of the crown of France, Henry denied that assertion. Yet finding it pertinaciously abetted by Louis, he said at last, "that, not
 " out of regard to any right in the king of
 " France, but for the love of God, of the earl
 " of Flanders, and of the cardinal William
 " of Pavia, if he had possession of any thing
 " that belonged to the abbot, he would restore
 " it to him." When Louis was acquainted that the cardinal was at la Ferté Bernard, in the council of Henry, he expressed much resentment, saying, " he had not deserved of
 " the see of Rome that this legate should abet
 " and favour his enemies, as he always had
 " done hitherto; and that he would accept
 " nothing out of regard to him or the earl of
 " Flanders,

BOOK III. "Flanders, but would have it on the founda-

A. D. 1168. "tion of his own right." Henry absolutely

refused to yield it in that manner, which would have been an affront to both the mediators, as well as an acknowledgement of a tenure in dispute, without any proper decision. Louis then sent a message requiring him to come immediately to the place assigned for their meeting. But this difference being unsettled, and such an air of hostility appearing in all the proceedings of that monarch, he declined an interview which was not likely to have any good effects, and from which he seems to have apprehended some danger to his person.

V. Epist.
prædict.

Louis, having stayed on the bank of the Huines a great part of the day, in expectation of his coming, passed over, and in the presence of all his nobility washed his hands in the river, and drank some of the water, protesting that he had discharged the faith he had plighted: after which ceremony he dismissed the earl of Flanders, and most of the nobles who had followed him from Chartres; remaining himself in that place, with a small number of attendants, till it began to grow dark. Henry in the mean time had received a second message, by which he was summoned to give satisfaction to Louis for having broken his faith. He returned no answer, but came unexpectedly to the river, armed, and accompanied by a multitude of armed knights. The French, seeing him approach in this warlike manner, ran themselves to their arms. In a letter from
which

V. Epist.
prædict.

which I have taken this account John of ^{BOOK III.}Salisbury says, that an action would have ensued, if the night had not prevented it. But I think it very improbable, that, if Henry had come thither with any hostile intention, he should not have executed it by instantly attacking the French, who were too few to have made any considerable resistance. Whereas it appears, that, upon seeing the alarm he had given, he returned very peaceably to his quarters at la Ferté Bernard. Robert earl of Dreux, and one of the brothers of the queen of France, went thither to him that night. What he said to them, in justification of himself from this appearance of an intended treachery, we are not informed. John of Salisbury says no more, than that he earnestly begged of them to persuade the king of France *not to compel him to have recourse to the enemies of that kingdom*; meaning the emperor and empire; and that *in his words he made a shew of great moderation*. But one may conjecture that he alledged the danger of coming unarmed, and without a sufficient guard for the safety of his person, to a place where so many of his own rebellious vassals, who, he knew, were exceedingly exasperated against him, might, under the pretence of attending the conference, take occasion to assault him. The next day he sent ministers to the court of Louis at Chartres, with instructions to employ their utmost endeavours to incline that monarch to conclude the treaty of peace, as it had been settled

A. D. 1168.

BOOK III. settled between them; and, in case of his refusal, to summon the earl of Flanders, who was a pledge for that treaty, to surrender himself up, agreeably to the faith he had plighted. Louis declared, "he would make no peace with Henry, till he had given satisfaction to him and his realm, for having come upon him so suddenly, armed and almost by night, though he had not been able to make a single Frenchman stir from his place;" adding, "that he himself was ready to prove, in the court of the Marches or of the earl of Flanders, that he had freed the said earl, and others who, on his part, had intervened in the treaty, from the obligation laid upon them." Henry's ministers answered, "that their master, on the contrary, was ready to prove, in the court of the emperor, of the king of Arragon, or of the king of Navarre, that he had kept his faith; and that the earl of Flanders and the other pledges, or guaranties, for the treaty, had violated their's." In the interim they desired a prolongation of the truce; but this also was denied,

V. Epist.
prædict.

Welsh Chron.
p. 224.

Besides other inducements, which made Louis desire to renew the war at this time, one was, that ambassadors from William the Lion, king of Scotland, and from all the Welsh princes, confederated to recover the independence of their country, were now in his court, and offered him aid from their masters against the king of England. The year before this, while that

that monarch was engaged in his foreign af-
fairs, Owen Gwyneth, and his brother Cad-
wallader, assisted by Rhees ap Gryffyth, had
taken Ruthlam castle, after a blockade of three
months, and then, with less difficulty, had
made themselves masters of Prestatyn; the
surrender of which, as the fortifications of
Basingweark had been demolished, and those
of Flint castle were unfinished, subjected that
province, one of the finest in North-Wales,
to the power of Owen. This was a loss very
mortifying to Henry; and it was no impro-
bable expectation, that the Welsh, thus victo-
rious, might pursue their success to the entire
extirpation of the English and Flemings out of
all parts of Wales, if they were favoured by a
continuance of the war between the kings of
England and France, by rebellions against
the former in Aquitaine and Bretagne, and by
an invasion from Scotland of the three northern
counties, which Henry had regained in the
minority of Malcolm the Fourth. The cir-
cumstances of the time, and the disposition of
Malcolm, which was mild and unambitious,
had made that prince acquiesce under the loss
of those provinces, throughout his whole reign:
but after his death, which happened on the sixth
of December, in the year eleven hundred and
sixty-five, his brother William, surnamed the
Lion from his fierce and warlike character,
succeeding to the crown, sought to profit by
the perplexed and troublesome state of Henry's
affairs at that time, in order to obtain from
him

BOOK III.
A. D. 1168.

BOOK III. him a grant of the earldom of Northumber-
 A. D. 1168. land, which he had held, in Stephen's reign,
 by enfeoffment from his grandfather, King
 V. Polydore: David the first. Some late historians have
 Vergil. said, that, when first he came to the kingdom,
 Boet. Scot. he sent ambassadors to Henry with a demand
 Hist. Buchan. of that province: but this is supported by no
 & alios. authority from the contemporary writers; nor
 is any mention made of his coming to England,
 either to sue for Northumberland, or do ho-
 mage to Henry for Huntingdonshire or Lothian,
 as his brother had done. Only we find, by
 V. Chron. the ancient chronicle of Mailross, that in the
 Mailross, sub ann. 1166. year eleven hundred and sixty-six, when Henry
 went into France, William followed him
 thither *in quality of his vassal, and on his bu-
 siness*; which seems to imply, that he was
 then possessed of some fiefs held immediately
 of that king. And in a letter written a year
 afterwards it is said, " that Henry, being at
 " Caen, and treating anxiously about a dif-
 " ference between him and the king of Scot-
 " land, fell into such a passion with Richard de
 " Humet, for speaking in favour of that prince,
 " that he called him a traitor, and in the vio-
 " lence of his rage did some actions which ap-
 " peared like distraction and frenzy, throwing
 " off his own cloaths, and the silk coverlet of
 " a bed on which he sat, and chewing straws
 " that he pulled out of the mattraßs under-
 " neath it." The picture is drawn by the
 hand of an enemy; but we may reasonably
 judge from it, that Henry's mind, at that time,
 was

V. Chron.
 Mailross, sub
 ann. 1166.

V. Epist. S.
 T. 44. l. i.

was excessively discomposed with a resentment BOOK III.
 excited by some dispute with that king, which A.D. 1168.
 probably might relate to the earldom of Northumberland.

Yet, though Louis, in confederacy with Scotland and the Welsh princes, seemed now determined to make war against the king of England in all his dominions, the exploits of this league went no further than the burning of a small town and two castles in Normandy, by orders of the French monarch. Henry ravaged the whole country of the earl of Ponthieu, and burned above forty villages, because that lord had denied a free passage to the troops of the earl of Boulogne, who, agreeably to the convention subsisting between them, was coming to assist him in Normandy. It is very remarkable, that, while this prince was actually in arms against Louis, a letter was sent to that monarch, by the countess of Boulogne, notifying to him, "that some ambassadors, who had gone from Henry to the emperor, had, on their return, passed through her territories; and that the emperor had sent back with them ambassadors from himself; which she ascribed to his desire of shewing Henry his great readiness to confederate with him in his war against Louis, whom she further informed, "that, by some discourse she had held with the English ministers, she found their master was incessantly seeking to annoy him, and therefore gave him this notice, that he might be

Chron. Norm.

V. Epist. Reg.
 &c. apud
 Duchesne,
 tom. iv.
 V. Epist. 108.

BOOK III.

A. D. 1168.

V. Chron.
Norm. Gerv.
Chron. sub
ann. 1168.

be on his guard." In acting thus she was, probably, moved by that aversion, which, as the daughter of King Stephen, she had imbibed against Henry, and which no kindness shewn by him, either to herself or her husband, nor even political interest, to which princes often sacrifice both their affections and resentments, had been able to conquer. Louis and his council were much alarmed at this letter: and their apprehensions were increased by the accounts they soon received of the arrival of the imperial ministers at Henry's court. A more splendid embassy, with regard to the rank and dignity of the persons employed therein, had never been sent to any king. At the head of this were the archbishops of Metz and of Cologne, the duke of Saxony and Bavaria, and the bishop of Liege. They brought to Henry, from the emperor and from the whole empire, large offers of assistance in his war against Louis; and tried to engage him to join with them in the schism; promising, if he would do so, to carry their arms into the bowels of France. He returned such an answer as gave room to believe, that he might hereafter be induced to accept this offer, if Louis and Alexander should continue to act as they had done for some time past.

The young princess of England, betrothed to the duke of Saxony, had, in the spring of this year, been conducted to her husband by the earls of Arundel and of Pembroke. When they

they came to Brunswick, in which city the duke then resided, they found him in the highest degree of prosperity. He had just suppressed a great rebellion against him in Saxony, after having taken by storm the two powerful cities of Bremen and Oldenburg. Peace being restored by these successes and the interposition of the emperor, he celebrated his marriage, though the lady was not then above twelve years old, amidst the acclamations of his subjects and the whole empire: after which, being desirous to wait upon his father-in-law, he took part in the embassy sent by Frederick to that king.

BOOK III.
A. D. 1162.

Nothing could be more agreeable to Henry than this mark of respect and affection, at such a critical time, from a son-in-law of such power, and so connected with the other great princes of Germany. The French saw it with fear; and it contributed much to dispose the king of France no longer to reject the offers of peace, which the English monarch most prudently continued to make with the same moderation as before. The earl of Blois had of late undertaken to mediate between these two princes, and was assisted by a monk of the order of Grammont, named Bernard de Corriolo, whom, together with the priors of Montdieu and St. Peter's Vale, the pope had employed to treat with Henry upon Becket's affair, after the return of the two cardinals from their legation. The new mediators proceeded upon the plan of agreement before settled by the earls of Champagne

V. Epist. Joh.
Scrib. 268.

BOOK III. Champagne and of Flanders, which Henry considered as unalterable ; but they had better success, for the reason above-mentioned, and from the peculiar authority, which Bernard de Corriolo, being of an order much celebrated for an extraordinary sanctity, could not fail to have over the mind of Louis. On the sixth of January in the year eleven hundred and sixty-nine, the two kings met at Montmirail, where the peace was concluded on the terms before agreed to, though Henry complimented Louis with an empty profession, " That he would submit all he had, himself, his children, his territories, his forces, his treasures, to be disposed of in such manner as that monarch should direct, without any conditions."

John. Sarisb.
268. ut supra,
Epist. S. T.
Cant. 66.
L ii.

The articles were,

1. That Henry should renew his homage and fealty for Normandy in the accustomed form.

2. That he should give up the earldoms of Anjou and Maine, and the fealty of the vassals thereof, to Prince Henry, his eldest son ; who should pay homage and fealty for them to the king of France, and owe nothing more either to his father or brothers, with respect to those earldoms, than merely that which their merit or nature might require.

3. That Henry's second son, Richard, should in like manner pay homage and fealty to

to Louis for the dutchy of Aquitaine, and should espouse Adelais the youngest daughter of that king, upon whom no portion was settled, but it was left to her father to give her what he thought proper.

BOOK III.
A. D. 1169.

4. That the office of great seneschal of the kingdom of France should be yielded up by the earl of Blois, to whom Louis had given it some years before, and restored to Prince Henry, in right of the earldom of Anjou, to which it belonged.

5. That the king of England should hold Touraine, as a fief from the earl of Blois.

6. That the hostages given to Louis by the revolted barons of Poitou and of Bretagne should be restored by him to Henry; and that they themselves should return to their former allegiance, upon condition of pardon for their revolt, and restitution of all their castles and lands, which had been taken from them since the troubles in those countries began.

Such was this memorable treaty of peace, by which Henry divested himself of all his territories in France, except Normandy and Touraine, in favour of his children. But from succeeding transactions it appears, that he did not mean to give up the administration or revenues of the provinces he resigned, till his

BOOK III. sons should be of full age. Nevertheless it was a point of the utmost importance to the French monarchy, that, by thus securing to Richard, his second son, the great duchy of Aquitaine, he divided and broke that mass of power which he had accumulated himself.

A. D. 1169. John of Salisbury says, in a letter written at this time, that, when Prince Henry espoused the daughter of Louis, he did homage to that king for all his father's territories belonging to France; and that the grief which the French nation had felt thereupon made them see this partition with greater satisfaction. But as no other writer of that age has mentioned this fact, and as the Norman chronicle of Robertus de Monte, a contemporary historian, expressly affirms, that a particular homage was done for the duchy of Normandy, there is reason to think that John of Salisbury was mistaken, and that the cause of the uneasiness expressed by the French was rather some intimation of an intention in Henry to make his eldest son heir to all his territories in France, than an actual homage done for them, as this writer understood it. Indeed it is very improbable, that Louis would, at that time, by receiving such homage, have confirmed a settlement which so much endangered his kingdom. The cession of Anjou and Maine, as an appanage for that prince, instead of the duchy of Normandy, was an alteration wisely made for the advantage of England; it being expedient, both on account of the situation of Normandy,

Normandy, and of the connexions between the Normans and the English, that the king should retain that dutchy. But it would have been better for him, if he had given up none of his dominions on the continent to any of his children during his life. A prince of England, in becoming a vassal to France, was too much under the influence of the French court, This Henry soon found; and probably his sagacity did not wait for experience, to be sensible of the danger: but he might be of opinion, that, as Louis had only one infant son, it was still adviseable for him to keep in his view the *eventual succession*, which, by the death of her brother, might be opened to the eldest daughter of that monarch, espoused to his eldest son; and therefore was not unwilling that the latter should be made, by means of this session, an immediate member of the kingdom and body politick of France. This was also a consideration of no small weight, to induce him to reject the emperor's offers, and consent to a peace.

The acknowledging himself a subvassal to the earl of Blois for Touraine seems to have been the effect of a preceding convention between him and that prince, in which he probably found a sufficient compensation for the superiority he gave up; as no force had been used to make him do it against his will. The earl's credit with Louis, and his great power in the realm, might be a principal inducement to render Henry desirous of thus accommo-

BOOK III.

A. D. 1169.

dating an old quarrel between the neighbouring families of Anjou and Blois, and tying them together by the amicable bond of a feudal connexion. As for the dutchy of Aquitaine, he had promised, in the negotiations which preceded the war of Toulouse, to settle it on Richard, his second son, after the consummation of the marriage with the princess of Arragon, to which Richard then was engaged: but that contract having been frustrated by the death of the lady, this other match with Adelaïs of France was now made, and the same settlement annexed to it. Equity seemed to require, that King Henry should advance his second son to this dukedom, when his third had been exalted to that of Bretagne. A desire of overturning the establishment lately made in favour of the latter had been, doubtless, one object of Henry's enemies in this war; but it was acknowledged and further confirmed by this treaty, in the sixth article above-mentioned. And the high office of seneschal, which carried with it great power in the court and kingdom of France, was, by another article, restored to the earls of Anjou. The most disagreeable condition of the whole treaty to Henry, was the restitution required by it of what had been taken, during the course of the war, from the rebels in Poitou and Bretagne: but, as most of their fortresses had been destroyed by him, the returning of their lands, with a very few of their castles, was not likely to endanger his future tranquillity; and the rebuilding
of

of the others, though not forbidden by the treaty, he knew would be a work of years, which he might put a stop to when he saw a proper opportunity. Revolted subjects, who return to live under the dominion of that prince they have offended, have little to hope from any means of increasing their strength, the employing of which requires a length of time.

BOOK III.

A. D. 1169.

In the abovementioned letter of John of Salisbury it is said, "that, before this treaty, Henry had frequently and publickly sworn, he would never again do homage to Louis for the dutchy of Normandy, which oath he now broke." But as he had paid that homage twice before, and once since he was king of England, it is hard to find any reason by which he could justify such a resolution. He might indeed alledge the example of his grandfather Henry the First: but the circumstances were different. For that monarch had done nothing which could be called an acknowledgement of the right he disputed: whereas his grandson by his own act had given up the dispute. I should therefore suppose that the declarations, the latter is said to have made, with relation to this point, were only bravadoes thrown out during the course of the war, which prudence taught him to forget in concluding the peace; if the whole be not an idle rumour, too lightly taken up by his enemy John of Salisbury, whose malice inclined him to believe and to aggravate all reports of this nature.

BOOK III.

A. D. 1169.

Epist. S. T.

Cant. l. iv.

epist. 8.

To this meeting of the two kings at Montmirail the priors of Montdieu and St. Peter's Vale, together with Bernard de Corriolo, the monk of Grammont beforementioned, brought archbishop Becket, having first presented to Henry a monitory letter, sent from the pope, through their hands, in favour of that prelate. Here, by their exhortations, and by the advice of his friends, the king of France himself, being much pressed *to humble himself before his sovereign*, he was with difficulty persuaded, or rather forced, so to do; and kneeling to Henry said, in the hearing of both courts, "that, *to the honour of God and his honour, he threw himself upon God's mercy and his mercy.*" These words appear satisfactory; but Henry, whom experience had rendered very cautious, apprehending that the expression, *to the honour of God*, was meant to cover some reserve, or establish some distinction, in favour of the church, refused to accept this form of supplication; and, after some passionate complaints of the former behaviour of Becket, concluded with saying, "he desired nothing more of him than that he would promise in the presence of that assembly, as a priest and bishop, in the word of truth, *and without fraud or fallacy*, to keep all the laws or customs which former archbishops of Canterbury, good and holy men, had kept under the reigns of former kings of England, and which he himself had once solemnly promised to keep." Becket replied, "that in the form of *the oath of fealty*,"
 "which

“ which he had taken to the king, as arch-
 “ bishop of Canterbury, he was bound to de-
 “ fend him in life, limb, and worldly honour,
 “ *saving his order.* And this he was ready
 “ most chearfully to fulfill. Nor had any
 “ more been ever demanded of his predecessors
 “ in the see, nor was there any more due.”
 But, as the king insisted strongly upon his own
 proposition, he said at last, “ that, although
 “ none of his predecessors had done or pro-
 “ mised this, and he was not obliged to it in
 “ duty, yet, for the peace of the church, and
 “ to obtain the king’s favour, he would pro-
 “ mise to keep those customs which had been
 “ kept by his holy predecessors, *saving his or-
 “ der, and so far as he could do it according to
 “ God.*” He further added, “ that, to regain
 “ the king’s affection, he would do all he could
 “ *without prejudice to the honour of God.*”

On this I would observe, that we have a V. Epist. 85.
 letter to Becket, written some time before, from
 the bishop of Lisieux, and which has already
 been cited on another occasion, wherein are
 these words ; “ It will not be for your interest
 “ *to recur to particulars,* but as much as possible
 “ *to stick to generals.* For our cause is safe,
 “ *unless articles particularly express destroy our
 “ liberty.* If we profess ourselves bound to
 “ fidelity, reverence, and obedience to the king ;
 “ if we offer our fortunes and persons to be
 “ employed to his honour and service ; if we
 “ promise to observe the royal dignities and
 “ *ancient customs, so far as they do not con-*

BOOK III. “ *tradidit the law of God, it does us no hurt ;*
 A. D. 1169. “ because in all these things we are by no
 “ means bound against our duty. If there-
 “ fore under this, or any other like form of
 “ words which can be thought of, the divine
 “ goodness should procure peace to you and
 “ your’s, *reserve the interpretation of these*
 “ *words to future times.*” On this plan it is
 evident Becket intended to proceed: but,
 Henry, who well understood, that the ex-
 ception, he threw in, would render the pro-
 mise, he made, of no effect, rejected his offers,
 unless he would swear *precisely and absolutely*
 to keep the royal customs: which he refusing,
 though advised and pressed to do it by many,
 the king departed without their peace being
 made.

V. Epist. 8.
 l. iv.

This is the account which was given of
 this meeting by the priors of Montdieu and
 St. Peter’s Vale, in their letter to the pope.
 And agreeably to this Becket himself wrote
 upon it to his Holiness. He also repeated
 the substance of it in a letter to the king im-
 mediately after the conference. But some
 contemporary historians relate other particulars,
 not mentioned in those letters. It is there
 said, that King Henry, after many reproaches
 against Becket for pride and ingratitude, ad-
 dressed himself to Louis in the following
 words: “ My liege, attend, if you please ;
 “ whatsoever he dislikes he says is against *the*
 “ *honour of God* ; and thus he would dispossess
 “ me of all my rights. But that I may not
 “ in

V. Epist. 6.
 Ibidem.

V. Epist. 5.
 Ibidem,
 Quadrilogus,
 Gerv. Chron.
 sub ann. 1169.

“ in any thing seem to desire unreasonably **BOOK III.**
 “ to oppose him, *or the honour of God*, this is **A. D. 1169.**

“ my offer. There have been many kings
 “ of England before me, some who had more
 “ power than I, and others who had less.
 “ There have been before him many arch-
 “ bishops of Canterbury, great and holy men.
 “ *What therefore the greatest and holiest of*
 “ *his predecessors did for the least of mine,*
 “ *let him do for me, and I shall be satisfied.*”

At which all the assembly expressed their satisfaction in the king's condescension; and Louis himself said to Becket, upon his remaining silent for some time, “ My lord arch-
 “ bishop, *would you be greater or wiser than*
 “ *all those holy men?* Why do you hesitate?
 “ See! your peace is at hand.” But he replied, “ It was true; many of his predecessors
 “ were better and greater than he; but every
 “ one of them had, in his own times, cut off
 “ some things which raised themselves up
 “ against God, though not all. For, if they
 “ had entirely eradicated all, he should not
 “ be now exposed to this fiery trial, by which
 “ being proved, as they had been, and parta-
 “ king their labour, he might also be found
 “ worthy of their praise and reward. Nor,
 “ if any one among them had been too cool,
 “ or too immoderate in his zeal, was he bound
 “ to follow his example, one way, or another.”

He added other arguments to the same purpose, concluding, “ that the primitive fathers
 “ had suffered martyrdom, because they would

“ not

BOOK III. "not subject the name of Jesus Christ to any
 A. D. 1169. "other name: nor would he, that he might
 "recover the favour of a man, give up the
 "honour of Christ."

V. Epist. 8. The ecclesiastics, employed in this business
 l. iv. by the pope, further acquainted his Holiness,
 "that when, according to his orders, they
 "exhorted the king of England to restore
 "Becket to his favour, his answer was, that
 "perhaps he might be advised to restore him
 "to Canterbury, but to his favour he never
 "would, *because by so doing he should lose the*
 "*benefit of that privilege his Holiness had*
 "*conferred on him by a former letter, which*
 "*suspended that prelate from all authority over*
 "*him till he had recovered his favour."* It is
 wonderful that Henry should speak so plain
 on this matter; for he might be almost certain
 that the pope would take from him a privilege,
 of which he openly declared he would make
 a use so repugnant to the intentions of the
 giver.

Some time after this conference, a new interview being appointed between the two kings, the same monks, who had before delivered to Henry a letter of *admonition* from Alexander, now delivered to him another of *commination*; assuring him, that, if, before the beginning of Lent, he did not comply with the repeated exhortations sent to him from that pontiff, his Holiness would no longer restrain the archbishop; as he had hitherto done. "For he ought not to imagine, either
 "that

"that the Lord, who now slept, might not be
 "awakened; or that the sword of St. Peter BOOK III.
A. D. 1169.
 "was so consumed with rust, as that it could
 "not be drawn, and exercise a proper ven-
 "geance." He very unwillingly received
 these letters; and, after much discourse on
 the subject of them, returned this answer;
 "I did not drive my lord of Canterbury V. Epist. 10.
l. iv.
 "out of my kingdom: nevertheless, if he will
 "hereafter do his duty to me, and obediently
 "observe and maintain to me what his pre-
 "decessors have observed and maintained to
 "mine, I will, out of reverence to the pope;
 "permit him to return into England, and
 "remain there in peace."

According to the account sent to Alexander V. Epist. 6.
l. iv.
 by Becket himself, Henry had been persuaded;
 at the instance of the monks, and of the most
 Christian king, not to mention the royal cus-
 toms on this occasion. Yet that prelate ob-
 serves very justly, *that, although he changed*
his word, he adhered to his purpose, insisting
 still upon the same absolute promise of the
 obedience paid by former bishops to former
 kings. But, as in the course of their conference
 he made some variations in the terms of his
 answer, the monks desired he would give it
 them by letters patent, to be sent to the pope for
 their greater security against any mistake;
 which he peremptorily refusing, they departed
 from him exceedingly discontented.

When they made their report to Becket of V. Epist. 6.
10. l. iv.
 what had past, he adhered to his former
 savings

BOOK III. *savings of the honour of God, and of the rights of*
 A. D. 1169. *his order; alledging, "that, without the au-*
"thority of the pope, he could not change the
"ecclesiastical form of allegiance observed by
"the whole western church, and clearly ex-
"pressed in those very ordinances which had
"occasioned his banishment; it being there
"said, that bishops are obliged to swear fealty
"to the king, saving their order." Henry did
not propose to make any alteration in the oath
of allegiance; and consequently this objection
had no real weight: but the archbishop sup-
posed, that, because this exception had been in-
discreetly admitted into the oath of allegiance,
it ought to be in that he was now required to
take, though it would have entirely defeated
the purpose for which the latter was exacted.
 V. Epist. 26. In the letters he wrote on this affair he exulted
 l. iv. *greatly, "that the king, who before endeavoured*
to disguise it, had now plainly confessed, that
the constitutions of Clarendon were the sole
cause of the persecution he suffered. And, con-
sidering how unjustly and cruelly he had been
treated, he most earnestly implored the pope,
to exact from the king whatsoever had been
taken from him and all his friends, even to the
last farthing; assuring his Holiness of a certain
triumph, if, instead of continuing his late too
moderate measures, he would immediately
exert the rigour of justice." He also entreated
 V. Epist. 20. him, "not to absolve the malefactors, he
 24. l. iii. (Becket) had excommunicated." These male-
factors were several of the most eminent pre-
lates

lates and barons of England. For, having waited the term prescribed to him by the pope, and being therefore reinstated in his former authority, he had at once excommunicated the bishops of London and of Salisbury, the arch-deacon of Canterbury (whom in a letter to the pope he calls *the Arch-devil of Canterbury*); Nigell de Sacville, and Thomas Fitz-bernard, officers of the king's household; Hugh de St. Clare; Hugh earl of Chester; Richard de Lucy, Great-justiciary; and other chief men of the kingdom. All this was done between Palm-sunday and Whitsunday, without any notice of it having been given to Alexander.

The bishop of London, from an apprehension of the storm that was coming upon him, had, with the bishop of Salisbury, interposed an appeal to the pope. But his excommunication having been notified in the church of St. Paul, on Ascension-day, by one of Becket's agents, he assembled the clergy, and protested against the sentence, "because the archbishop had not cited him as he ought to have done; because, against all the rules of justice, that prelate was accuser, witness, and judge; and because, till such time as he should come into England, he could not act as legate there." But the most remarkable objection was, "that he had no jurisdiction over the see of London, because that church had a right to the metropolitan dignity, which it had lost to Canterbury only by the irruption of the pagans (that is, the Anglo-Saxons), as the

"bishop

BOOK III.

A. D. 1169.

V. Epist. 39,

40. 43. 44-

l. iv.

Epist. 92. ib.

BOOK III. "bishop said he could prove." It must indeed be confessed, that, in the first institution of metropolitan sees, that dignity was appropriated to the capital cities; the ecclesiastical superiority being established in conformity to

A. D. 1169.

V. Epist. 19.
l. iii.

the civil. But John of Salisbury, with great sharpness, ridiculed this pretension, in a letter he wrote to the monks of Canterbury about that time. He said, "the bishop was apprised that the city of London, before Christianity was established in England, had been the seat of the Arch-flamen of Jupiter; and perhaps the prudent and religious man had thoughts of restoring the worship of Jupiter; *that, since he could by no other means be an archbishop, he might obtain the title of Arch-flamen.*" The latter words of this paragraph alluded to a notion encouraged by Becket, but strongly denied by the bishop, that all the malevolence of that prelate to him was the effect of a disappointment in the hopes he had conceived of being himself promoted to Canterbury. And this obsolete claim gave more weight to that report; as it looked like a resource of disappointed ambition. He seems himself to have been sensible that it would do him no service, and therefore rested his cause upon the many informalities in the proceeding against him, and upon the appeal he had previously made to the pope, which he implored the king to recommend to his Holiness by his own letters, and by all the credit of his friends in the sacred college. Henry in his answer assured

V. Epist. 46.
Ibid.

V. Epist. 47.
Ibid.

fared him, that he resented the sentence passed **BOOK III.**
 upon him and other persons of his realm, **A. D. 1169.**
 by his traiterous adversary Becket, *no less than*
if he had vomited out his poison upon his own
person: and accordingly wrote to Alexander **V. Epist. 48.**
 with most bitter complaints, "that, after his
 " Holiness had granted him judges to hear
 " his cause, he had exempted his adversary
 " from their jurisdiction, who now had added
 " a new injury to the innumerable others
 " done to him before, by having excommuni-
 " cated the bishops of London and Salisbury,
 " after an appeal made to his Holiness, and
 " when they were ready to answer according
 " to law, not cited, not called, not convicted,
 " not admonished. That Becket had also
 " anathematized some of his nearest servants,
 " having no reasonable cause to alledge for
 " it; which he took no less ill than if the
 " sentence had been passed against his own
 " person. That it seemed as if the pope had
 " entirely abandoned all care of his son, and
 " had given him up to the malice of his enemy.
 " He therefore entreated his Holiness by his
 " own authority to annul these proceedings of
 " Becket."

The archbishop of Rouen also wrote very
 warmly to Alexander in vindication of his
 friend, the bishop of London, witnessing for
 him, that in a secret conversation, where only **V. Epist. 49.**
 the king and they were present, he had laboured **50. 51. l. iii.**
 with all his power to obtain peace for Becket:
 And

BOOK III. And some English prelates sent letters to the same effect, adding the highest encomiums of his morals, piety, learning, and *of the mildness of his temper, for which he was universally renowned above all the bishops in England.* Indeed there was no need of these testimonies in his favour: for Alexander himself, in his own letters, had expressed the same opinion of him, even since the beginning of the dispute with Becket. But yet the friends of the latter made no scruple to call him, in the letters they wrote to each other, *a wolf in sheep's cloathing, parricide, and forerunner of Antichrist.*

A. D. 1169.

V. Epist. 34. l. i.

V. Epist. 24. l. iii.

As soon as the pope had some intelligence, from his correspondents in France, of the archbishop's proceedings, though he did not yet know exactly what he had done, he testified his surprise at the impatience with which that prelate had acted; and (to use the words of the letter) "exhorted, besought, and admonished him to suspend whatever sentence he had past, till he should know how the nuncios, who were coming to negotiate a reconciliation between him and the king, would succeed in their commission." These nuncios had been sent at the desire of that prince; and Alexander was aware, that the archbishop, who wished for no more negotiation, would be much displeased at their coming. He therefore accompanied the notification of it with an assurance, "that if in two or three months the king should not be mollified by
" the

" the forbearance, which, in hopes of a peace, BOOK III.
 " it became them both to grant him, he would A. D. 1169.
 " give him full liberty to revoke this indul-
 " gence, before the nuncios should leave
 " France." And in the direction of the letter
 he styled him *legate of the apostolical see*, which
 shewed that he considered him as restored at
 this time to the full authority of that office.
 The only power upon earth which Becket
 respected was that of the papacy; yet so in-
 tractable was he, that he absolutely contemned
 the admonitions and exhortations thus sent
 from the pope; nor would he take off the
 excommunication he had laid on the bishop
 of Salisbury, though Alexander entreated him,
 by a particular letter, that, *in consideration of*
the singular affection he had for that prelate,
grounded on a long intimacy of friendship be-
tween them, and as the bishop acted not from
the dictates of his own mind, but from fear
of the king, and through the natural infirmity
attending old age, he would deal gently with
him, and, till the return of the nuncios sent to
the king do nothing against him. This letter
 indeed was not received by Becket till after
 the sentence of excommunication was past.
 Yet when he pronounced it, he well knew
 (as appears by some passages in the letter itself)
 how dear the bishop was to the pope. It
 was therefore a very great disrespect to his
 Holiness, to do such an act, without having
 particularly apprised him of it, and obtained
 his leave. But that upon the receipt of so

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warm an intercession from a friend, who could have commanded what he begged for, he did not instantly revoke the sentence; is a most astonishing proof of the implacable violence of his resentment; and the inflexible obstinacy of his temper.

V. Epist. 79.
80. l. iii.

Henry had for some time been using his utmost endeavours to prevail on the pope, that, by orders from his Holiness, Becket should be called out of France; and translated from Canterbury to some foreign see. It has been mentioned before; that this expedient was recommended by William of Pavia, during his legation in France; and, though the archbishop protested most violently against it, a more gentle or proper method to finish the dispute could hardly be found. Extraordinary means were therefore used by the English ministers at Beneventum to obtain this point for their master. They promised Alexander, in his name, to procure for him a peace with the emperor and the Saxons. They offered to buy, in his behalf, all the Roman nobility who stood out against him, and to give him, for his own use, ten thousand marks; a present equal to one of a hundred thousand pounds in these days. They moreover assured him of their master's permission to ordain whom he pleased, as well in the see of Canterbury, as in all the other sees that were then vacant in England. But, whether he thought that in some of these particulars the king offered more

more than he would be able to perform, or **BOOK III.**
 whether his knowledge of Becket's unalterable **A. D. 1169.**

resolution not to accept of any other see, made him unwilling to propose his removal from Canterbury; he rejected all these temptations. Henry laboured to overcome the reluctance he found in him by the intercession of others, who might have, probably, a greater influence over his mind, or would embarrass him more from the difficulty of resisting their sollicitation. With this intention he gained the bishop of Syracuse, who was a native of England, by an offer of the see of Lincoln, and proposed to the king of Sicily, on whose protection the pope in a great measure depended, a contract of marriage with Jane his daughter, if that monarch would assist him in this affair. The proposal was too agreeable to be refused; and the translation of Becket, or his removal from Canterbury in some other manner, was vehemently pressed by the court of Sicily. Henry likewise applied to those cities in Italy by whose arms the pope was supported. He promised to give the Milanese three thousand marks, and to build up their walls, which had been demolished by the emperor, more strongly than ever, if they could gain for him this moderate and reasonable request. To Parma he offered a thousand, as much to Bologna, and to Cremona two thousand. He also bribed with large sums the principal barons of Rome, who were of Alexander's party. But not all these united could

BOOK III. shake that pontiff, whom the apprehension of
 A.D. 1169. disgusting the king of France rendered as ob-
 stinate in this point as Becket himself. The
 English ministers could obtain no more for
 their master, than that two nuncios should be
 speedily sent into France, to negotiate an agree-
 ment between him and Becket, which in effect
 was nothing else but a further delay of the ex-
 communication he feared from that prelate.

V. Epist. 78. During the course of these transactions, the
 82. 85. 87. bishop of London endeavoured to persuade all
 88. 91. l. iii. his brethren to join in his appeal to the pope.
 But, except the bishop of Salisbury, who had
 originally concurred with him in it, they all
 refused it on various pretences. The bishop of
 Winchester's excuse was peculiar. He said,
 " it was a rule of the divine law, that whoever
 " was summoned by a superior judge could
 " not appeal to an inferior ; and therefore he,
 " being called by his age and infirmities to ap-
 " pear before God, could not attend an appeal
 " in an earthly court." Nor were these pre-
 lates content with merely declining, in this in-
 stance, to make a common cause (as they had
 formerly done) with the bishop of London ;
 but obstinately refused to hold communion
 with him, and even published injunctions
 through their several dioceses, that all men
 should avoid him ; though the king had sent
 orders particularly forbidding any regard to
 be paid to his excommunication. So great
 was

was their respect to the legatine power with **BOOK III.**
which Becket was invested.

A. D. 1169.

The bishop of Winchester, notwithstanding the assent he had given to what had been done in the parliament at Northampton, and by other subsequent acts, in which he had concurred, against that prelate, intrigued with him now, ^{V. Epist. 114. l. i.} and favoured him, out of hatred to Henry. But his power was lost, and that spirit, so formidable once to the crown, was in a great measure broken. He had received from the king, who thought it necessary to keep him as low as he could, so many and so grievous mortifications, that, to obtain a dismissal from the court and ^{V. Epist. 113 l. i.} the world, he expressed a desire of resigning his bishoprick, with the consent of the pope, which he applied for through Becket, but received a denial. And, not long afterwards, he was so heavily incumbered with debts, and distressed for want of money, that he even sold the golden cross belonging to his church: for which Becket, though in exile, and much his friend at that time, reprimanded him as his metropolitan, and enjoined him to restore it. Into such meanness and misery did this great prelate fall at the latter end of his life! Yet, upon this occasion, some sparks of his former character kindled, and broke out a little; so as to make him again a favourite with what may be called *the High Church Party* of those days, but in a degree much inferior to Becket.

BOOK

A. D. 1169.

V. Epist. 79.
c. iii.

Henry now saw, with no little uneasiness, what he had to expect from his bishops, if the censures he was threatened with, by his exasperated adversary, should fall on his person. Nor could he reasonably entertain a hope, that Becket would delay the inflicting of them any longer than till the next feast of the purification of the blessed Virgin; that prelate having sent letters to the convent of Canterbury, and to the clergy of his diocese, commanding them from that time to stop the celebration of divine service in their churches, and declaring, he was resolved not even to spare the king's person, if that prince did not repent, and make a proper satisfaction to all he had injured. Upon these acts of hostility, Henry sent a Norman bishop and the archdeacon of Canterbury to the French king, with orders to require of that monarch, both on account of the alliance, and the feudal connexion between them, that he should expell the archbishop out of his kingdom. But Louis answered, *"that he had derived from his ancestors this, as an hereditary right, and a perpetual custom of the realm of France, that all who were banished for the sake of justice should there be kindly received. Nor would he ever give up an inheritance so honourable and pleasing to God."* Such noble sentiments were never so ill and impertinently applied; as Becket, instead of having been banished for the sake of justice, had fled from justice, and opposed, with all his power, the due execution thereof against offending churchmen.

men. Louis added, more truly, "that he had BOOK III
 "received the archbishop from the hands of A. D. 1169.
 "the pope, *whom he accounted his only Lord*
 "*upon earth*; and therefore, neither out of
 "regard for the emperor, nor for the king of
 "England, nor for any power in the world,
 "would he send that prelate away, or ever
 "cease from protecting both him and his cause,
 "so long as they wanted protection; because
 "God was with him, and for the maintenance
 "of God's law he endured so many losses and
 "wrongs." Of this Becket himself wrote an
 account to his friend, the bishop of Ostia, and
 in the same letter complained, "that some, *who* V. Epist. 79.
 "*were not filled (as Louis was) with the spirit* l. ii.
 "*of God*, advised him not to demand a repara-
 "tion of damages, and, if a peace should be
 "treated of, to pass over all matters as lightly
 "as possible; not considering how dangerous
 "it would be in the precedent, if secular
 "powers should be thus encouraged to pro-
 "scribe and to banish innocent persons, and
 "then be reconciled to the church, whenever
 "they pleased, with great damage to her, and
 "great profit to themselves. He affirmed,
 "that the pope might easily carry this point:
 "because (says he) *though the king may affect*
 "*to throw out menaces, he really shook with*
 "*fear, from the time that he saw his con-*
 "*macious bishops, with other accomplices of his*
 "*malice and instruments of his iniquity, deli-*
 "*vered over to Satan, for the destruction of the*
 "*flesh. When they are once crushed, he will be*

BOOK III. " *more easily and sooner subdued, and all his*
 A. D. 1169. " *thunder will be turned into rain. Believe*
 " *me, who have experience, who know the man-*
 " *ners of the man, and have stood all the brunt*
 " *and heat of the day, nor am yet afraid of the*
 " *contest, for the sake of the Lord and the*
 " *liberty of the church; believe, that he is one*
 " *of such a disposition, as nothing but punish-*
 " *ment can mend."* He desires the bishop to
 represent all this to the pope, and to obtain of
 his Holiness, and of the sacred college, " *that*
 " *the apostolical see may, through his sufferings,*
 " *acquire liberty for the church of England."*
 Protesting, " *that he chose rather to die in the*
 " *bitterness of banishment for the Lord, than*
 " *to see the church profaned by the execrable*
 " *traditions of tyrants, and the divine law ren-*
 " *dered of no effect."*

While he was thus urging on, by all the means in his power, the excommunication of Henry, that king was employed in securing to himself, and to the young princes, his children, the benefits he had gained by the peace of Montmirail. His eldest son was accordingly sent by him to Paris, where, on a day of solemnity, he publicly served the king of France at his table, as seneschal of that kingdom, in right of the earldom of Anjou, with which he now was invested. This ceremony confirmed the restitution obtained by the above-mentioned treaty of that high feudal office, which a contemporary writer affirms to be the same

same as that of *Maire du Palais*. And not long afterwards, in the spring of this year eleven hundred and sixty-nine, Prince Geoffry Plantagenet, as duke of Bretagne, went to Rennes, and received the homage of all his great barons. Thus, notwithstanding the many difficulties, which his quarrel with the king of France had thrown in his way, and all the embarrassment of his other affairs, did Henry complete the establishment of his son in the dutchy of Bretagne; an acquisition of vast importance to his power and interests, not only in France, but in England!

BOOK III.

A. D. 1169.

Robertus de Monte, ut supra.

But the troubles in Aquitaine were not so easily pacified. For, some disputes having arisen about the restitutions which had been stipulated in the treaty of Montmirail, many of the barons who had revolted in Gascony and Poitou continued in arms: so that Henry was compelled to go thither himself, in order to suppress their rebellion, which he effected by the destruction of several castles belonging to the earls of Angoulesme and La Marche. These great lords being reduced, and treated by Henry with his usual clemency upon their submission, the malecontents of less note were soon subdued; and, by the beginning of August, the tranquillity of those provinces was fully restored. When the king had spent some time in duly ordering and settling the government there, he returned into Normandy, and made strong lines for the protection of one

Ibid.

BOOK III.

A.D. 1169.

See Carte,
sub ann. 1168.

one part of the frontier, which, having no river to defend it, was exposed to depredation from sudden incursions. He likewise built a new castle at Beauvoir en Lions, having a constant attention in time of peace to all that would secure his territories in war. At the same time he carried on other great publick works for the benefit of his people; particularly a bank or dyke, on the north-side of the Loire, beginning about thirty miles above Angers, and continued to that city, in order to confine the overflowings of the river, which frequently happened with so much violence, that they ruined the country. No monument that can be raised to the memory of a king is so glorious as these, which he erects for himself while he is only intent on doing good to his subjects.

V. Epist. 6.
27. l. iii.

Gratian and Vivian, the two nuncios sent by the pope, repaired to Henry in Normandy upon his return out of Gascony. They came with limited powers, and a form of agreement prescribed by Alexander, to which if they could not induce the king to consent, they were ordered to leave him; and, for fear they should be corrupted, they were bound by an oath to accept no present from him, not even their charges while they remained at his court, *till the peace was concluded*. I use the word *peace*, because it is used in Alexander's letters and those written by Becket concerning this affair, as if he and the king, his master, had been

been two independent potentates at war with each other.

BOOK III.

A. D. 1169.

When the nuncios delivered the pontiff's letters to that prince, he was greatly disturbed; and, in a conference which he afterwards held with them on the business they were sent to negotiate, he let drop some very warm and angry expressions; upon which Gratian, who was nephew to Pope Eugenius the Third, said to him, "Sir, do not threaten; we fear *V. Epist. 6.*
27. l. iii.
 "no threats: for we are of a court that has
 "been accustomed to give the law to emperors
 "and to kings." Nevertheless Henry seemed to be absolutely determined that they should not give it to him; and before he would treat of a reconciliation with Becket, on any terms, insisted positively and pertinaciously, that those of his servants, whom that prelate had excommunicated, should be absolved. This *V. Epist. 27.*
l. iii.
 not being agreed to, he broke off the conference, mounted his horse, and protested with an oath, that he never would hear another word, from the pope or any man living, upon the subject of Becket's return to Canterbury. The nuncios, startled at this, thought it necessary to yield the point in dispute; and the negotiation was renewed: but, other difficulties arising about the preliminaries, Henry departed again, with marks of great displeasure; and being told by his bishops, that a mandate from the pope, requiring them to perform whatever injunctions should be given by

BOOK III. by the nuncios, had been communicated to
 A.D. 1169. them, he answered: "It is no matter: I know
 " what they will do: they will put my do-
 " minions under an interdict. But cannot I,
 " who am able to take a strong castle every
 " day in the year, arrest an ecclesiastic, who
 " shall have the boldness to offend me by
 " such an act?" This language brought the
 nuncios to be more complaisant; and they
 came to an agreement with him, that three
 of his servants, Nigel de Saville, Thomas
 Fitz-bernard, and the archdeacon of Canter-
 bury, who then were attending upon him,
 should be absolved the next day; and that
 one of the nuncios should go over to England,
 in order to absolve the excommunicated there;
 on which conditions, the king, out of devotion
 to God, and for the love of the pope, would
 permit the archbishop to come to him in safety,
 and to receive his archbishoprick in good peace
 and with firm security, as entire as he had
 posselt it before he left the kingdom, and to
 hold it *to the honour of God and of the Church,*
and to the honour of the king and of his children.
 It was also stipulated that a like restoration
 should be granted to those who were in banish-
 ment with and for the archbishop. This was
 the form of reconciliation, which (if we may
 believe the report that the nuncios made to
 the pope) was written down with the king's
 entire content; and without the addition of
 any other words. But they say that the next
 morning he changed a word in the writing,
 instead

V. Epist. 27.
 l. ii.

instead of *children putting theirs*; which alteration they admitted without dispute. And, upon their asking him, whether he would agree to give the archbishop the *kiss of peace*? he said, "*the peace should not be hindered for so little a matter.*" They were much pleased with this answer, and immediately after it absolved his three servants. But they tell their pope in their letter, that they were exceedingly surprised and confounded, when, the absolution having been given, the king, instead of the words *to the honour of his heirs*, in the written agreement, inserted these, *saving the dignity of his kingdom*; and that they left him thereupon, and went to Caen. They further add, that, as he was obliged to go from Baieux, where the conference had been held, in order to meet the earl of Flanders at Rouen, he referred the negociation to a council composed of all the principal bishops and temporal lords of his dominions on the continent, together with some of the English, who were then with him in France. They acknowledge that all these very strongly insisted upon retaining the clause inserted by the king; to which they agreed, on condition that another should be added, *saving the liberty of the church*. But, this expedient not being satisfactory, some of the bishops proposed, that, leaving all *savings* out, the agreement should be drawn up in the following words; *that, for the love of God and of the pope, the king should permit the archbishop to return into*

V. Epist. 27.
l. iii.V. Epist. 13.
l. iii.

BOOK III.

A. D. 1169.

into England, and enjoy his archbishopsrick as entire as before he went out of the kingdom: and that all those persons who went with him, or on his account, should be likewise restored to their own. The brevity and simplicity of this form being approved by all the assembly, they recommended it to the king, in a letter which was carried by the archbishop of Rouen. The nuncios also agreed to it, and Henry was at first so far satisfied with it, that he sent for them to Rouen. But after they had waited for him there some time, in the archbishop's palace, they received a message from him, to let them know, that he would on no account recede from the clause, *saving the dignity of his kingdom:* whereupon they departed without coming to any agreement. When they reported to Becket the king's final resolution, he coolly said, that he would consent to maintain the dignity of the kingdom, *saving the rights of his order, and his fidelity to the church of Rome.* This is the account given by Vivian in a letter to the pope, which, he says, had been seen and approved by his colleague. But there is very strong evidence against the truth of it, in one circumstance of great moment. For the king, in a letter he wrote himself to the pope on this occasion, affirms, that *before the absolution given to his three servants, the nuncios had, without the least contradiction, agreed to the words, saving the dignity of his kingdom.* But that the next morning, *by whose instigation,*

instigation, or from what spirit, he knew not, they refused to stand to their agreement, objecting to that expression. And this account is corroborated by the testimony of the archbishop of Rouën, the bishop of Nevers, and the whole clergy of Normandy; who, in their letters to the pope, declare with one voice, *that the nuncios, having agreed to admit of those words, had presently afterwards revoked their consent, and refused to perform what they had settled.* Indeed they do not say, that the words had ever been agreed to *without contradiction*; but that an absolute consent was given to them at first; and retracted afterwards by the nuncios, they all assert. Nor is it probable that this king should have admitted a form of reconciliation, which, without the addition of the clause, was at least as exceptionable as the words used by Becket, which he had rejected with so much indignation in the late interview with that prelate at Montmirail. And such a tame acquiescence agrees ill with the language, which in his former conferences with the nuncios he certainly held, and with all his behaviour in the course of this negotiation. I therefore believe that the nuncios at one time did consent to this clause; but that having reflected more upon it, and perhaps talked on the subject with some friends of Becket, they were afraid they should draw upon themselves the whole tempest of that prelate's rage; and, rather than stand it, retracted their consent the next morning. Nor was it unnatural that they should

BOOK III.

A. D. 1169.

V. Epist. 20.

l. iii.

- BOOK III.** should desire to conceal from the pope their having made a concession, which, in all probability, was not authorised by their instructions.
- A. D. 1169.
- V. Epist. 5. For they themselves had told Becket, that it was not in their power to do any thing to his prejudice, or to the dishonour and detriment of the church. Indeed the archbishop of Rouën, the bishop of Nevers, and all the prelates and clergy of Normandy, used their utmost endeavours, in letters to the pope on this subject, to make his Holiness think, the words proposed by the king would not hurt either the liberty or dignity of the church; "because neither could princes obtain salvation without the church, nor the church peace without their protection." But John of Salisbury, in a letter to the bishop of Poitiers, said truly, "*if the king had obtained that his clause should be inserted in the agreement, he had carried his royal customs, only changing the name.*" Becket holds the same language in several of his letters, saying, "*the dignity of the kingdom was only a softer name for the constitutions of Clarendon.*" He also complains very bitterly, that in this form of peace no mention was made of reparation of damages. But at the same time he tells the pope, "that the king now declared, *he did not demand of him any account of his administration as chancellor, nor the money he then had received, or stood engaged for, but only what he had received that belonged to the crown since he was made archbishop of Canterbury; for which*" (he
- V. Epist. 21, 22, 23. l. iii.
- V. Epist. 13. l. iii.
- V. Epist. 54, 55, 56, 57, 58, 59, 60.
- V. Epist. 54. l. iii.

“(he says) it was universally known that *he* BOOK III.
 “*had accounted.*” He reports this to some A. D. 1169.
 of the cardinals with whom he corresponded,
 in terms yet more to his own advantage; say-
 ing, that the king had now acknowledged to
 the nuncios and others, *that he* (Becket) *was* V. Epist. 56.
not bound to any account of his administration 60. l. iii.
as chancellor, or of the money he had received
while he held that employment. But to others
 he expresses it, as he does to the pope, that the
 king *did not demand of him any account*; which
 is a very different thing from acknowledging,
that he was not bound to give one. Certain it
 is, that in this negotiation Henry waived that
 demand; for no notice is taken of it in any of
 the letters relating thereto, nor in the terms of
 agreement. Indeed it would have been a per-
 petual obstacle to an accommodation, as Becket
 would not submit to any judgement upon it,
 and could not have paid it, had he been sen-
 tenced to do so by Alexander himself. Per-
 haps too Henry might now begin to feel, that,
 by submitting to the pope a cause of such a
 nature, he himself gave a grievous wound to
 the dignity of his crown. Yet, though he
 might have reasons for dropping his claim at
 this time, he could have none to allow that it
 never had been due. Nor is it credible, that
 he should so lightly have impeached his own
 justice and that of his parliament.

But Michaelmas-day being now past, with- V. Epist. 37.
 out hopes of a reconciliation between him and l. iii.
 Becket, as neither of them would give up the

BOOK III. point in dispute, a letter was sent from the
 A. D. 1169. nuncios, to notify to those whom they had
 absolved, that the absolution was void; and
 immediately afterwards they prepared to re-
 turn into Italy. Gratian went first, being
 much dissatisfied with Henry's proceedings.
 V. Epist. 49. Nor did Vivian long delay to follow his col-
 l. iii. league; but he had not gone far, when he
 received a letter from the king, who entreated
 him to return, and gave him his royal word,
 that he would make peace with Becket, ac-
 cording to the pope's mandate and his advice.
 V. Epist. 61. What drew from him this promise was an in-
 ibid. formation given to him, that the archbishop of
 Sens, who was a most zealous friend to Becket,
 had set out with Gratian, which made him
 apprehensive, that, on their report to his Hol-
 iness, the excommunication and interdict, with
 which he had been threatened, would be im-
 mediately laid on his person and territories.
 He had found Vivian a man of some mode-
 ration; and he hoped, that, by continuing a
 negociation with him, he should tie Becket's
 hands, and obtain at least the delay that was
 necessary for him, in order to know the success
 which the archdeacon of Salisbury and Richard
 Barre, whom he had dispatched to Beneventum
 presently after the conference at Montmirail,
 had met with in that court. Vivian came
 back immediately on the receipt of this letter:
 but though he took great pains to soften
 Becket, and persuade him to approve his un-
 expected return, that prelate told him, in
 answer

answer to all he alledged on this subject, that, if ^{BOOK III.}
 by his own authority only he had resumed a ^{A. D. 1169.}
 legation which was actually expired, *the king*, ^{V. Epist. 10.}
for whose sake it was resumed, might obey it; ^{l. iii.}
but he would not. He was the more discontented, because, in the terms now offered by Henry, of which Vivian sent him a copy, there was no promise made of reparation of damages; though some intimations were given, ^{V. Epist. 61,}
 that, if he would act in this reconciliation so ^{62. l. iii.}
 as to deserve the favour of his sovereign, that prince would again set him at the head of his kingdom, and let him feel no want of any kind. As he did not intend to comply with the condition prescribed, and grounded his demand, not on favour, but justice, he looked upon these offers as nugatory or insidious. Nevertheless he could not decently refuse his consent to Vivian's entreaty, that he would attend on a conference between the two kings, which was held at St. Denys about the middle of November in this year eleven hundred and sixty-eight. Henry went thither on pretence of devotion; but his real design was to mitigate the ill temper of Louis towards him, which he feared would soon occasion a new war with that king. This he partly effected by promising to treat in an amicable manner with the earl of Toulouse, on the claim of his son Richard, as duke of Aquitaine, to that earldom; and moreover to send that young prince to be educated in the court of France under Louis; which I can hardly believe he

BOOK III. intended to perform, as certainly it would
A. D. 1169. have been liable to many and weighty objections. Becket did not appear in person at this meeting; but he came so nigh as to Paris, and from thence sent a petition, containing the conditions upon which he desired to be reconciled to the king. The words were these:

V. Epist. 62. " This is what we ask of our lord the king,
l. iii. " according to the mandate and counsel of our
 " lord the pope, that for the love of God, and
 " of our lord the pope, and to the honour of
 " the holy church, and his own salvation, and
 " that of his heirs, he would receive us into
 " his favour, and grant to us, and to all persons who with and for us departed out of
 " the kingdom, peace, and entire security from
 " him and his, without deceit; and would
 " restore to us the church of Canterbury, in as
 " ample and free a manner as we ever enjoyed
 " it, in its best condition, since our promotion
 " to that see, and all our former possessions,
 " to have and hold them, as freely, as quietly,
 " and as honourably, as they have been had
 " and held by us, at any time since our said
 " promotion: and that our exiled friends may,
 " in like manner, have their benefices, or any
 " other possessions, which they had enjoyed,
 " restored to them. We further ask of our
 " lord the king, that he would permit all
 " churches and prebends belonging to the
 " archbishoprick, which have become vacant
 " since we went out of the kingdom, to be
 " put into our hands, that we may dispose of
 " them

“them as our own, in what manner we please.” BOOK III.
 There is no mention here made of reparation A. D. 1169.
 of damages, either to Becket or his friends:
 which it is probable the archbishop was in-
 duced to omit, because the pope, in the man-
 date to which the petition refers, had been
 silent about it: but he sent word to the king,
 that, to avoid any blame with relation to that
 point, he would be advised by his Holiness
 what he ought to demand.

In the petition some particulars are worthy
 of note. Besides the caution with which every
 article of it is guarded, the words, *to his own* V. Epist. 62.
salvation and that of his heirs, were thrown ut supra.
 in with great art, and meant to intimate, that
 neither Henry, nor his heirs, could be *saved*,
 if he or they should persist in this quarrel with
 the church. Nor were the preceding words,
to the honour of the church, without some ma-
 lignity; for they imported, that, instead of
 this peace being acknowledged as a grace from
 the king, the church had triumphed over him.
 Henry saw this, and framed his answer as cun-
 ningly, though in much fewer words. He said
 he would allow, that the archbishop should have
 the see of Canterbury in peace, and those posses-
 sions *which had been held by his predecessors*,
 and *as they were held by them*; thus excluding
 him from the enjoyment of all new acquisi-
 tions which he had made to his church, or
 was desirous of making, and indirectly sub-
 jecting him to those customs of the realm,

BOOK III. under which the preceding archbishops of
 A. D. 1169. Canterbury had held their temporalities. But
 they with whom he was treating were as
 sharp in discerning the intent of his answer,
 as he was in framing it; and because he would
 not recede from it, nor admit the petition
 V. Epist. 61, sent by Becket, Vivian declared, *that he had*
 62, l. iii. *broken his word*, and, complaining of him as
captious and insincere, refused to meddle any
 more in the negotiation.

Nevertheless a new petition, in different words, was drawn up by Becket, and delivered to Henry at Montmartre, on his return from St. Denys, by the archbishop of Rouën and the bishop of Seez. His prayer now was, “that, for the love of God and of the pope, the king would restore, to him and his, favour, peace, and security, their possessions, *and every thing that had been taken from them*; upon which conditions he offered to pay him all *that an archbishop owed to his prince*.” This form was shorter, and might at first appear less exceptionable, than the former petition; but, in the words, *every thing that had been taken from them*, the revenues they had lost during the time of their banishment, and a compensation for all damages, might be implied: nor was it certain that the promise Becket made on his part would be any security for his future obedience; as his whole dispute with the crown had arisen from the question, *what it was that an archbishop owed to his prince?*
 The

The king answered, "that from his soul he willingly forgave him all past offences; and, with regard to any complaints against himself, on the part of that prelate, he was ready to stand to the sentence of the court of his liege, the king of France, or to the judgement of the Gallican church, or the university of Paris." This proposal was so fair, that it required an uncommon skill in chicane to know how to object to it. When it was carried to Becket, he felt the force of it, and therefore only replied, "that he did not refuse the judgement of the French parliament, or of the Gallican church, if it so pleased the king; *but that he had rather compound with him amicably, than litigate, if such were his will.*" He added, "that if the king would restore to him and his friends the church of Canterbury, with their possessions; and give them a pledge of his favour and their safety, by *the kiss of peace*, he was ready to receive it; only desiring that the king would pay to the church half the value of the moveables taken away, to discharge his debts and those of his friends, and make the repairs that were necessary in their estates, after the waste that had been committed upon them; an estimate of which he delivered to Henry, revised and corrected by the commissioners that prince had appointed." Among those estates the restitution whereof he demanded, three were claimed by the crown; and in some private instructions to two agents, whom he sent to

BOOK III.
A. D. 1169.
V. Epist. 62.
l. iii.

BOOK III. the pope at this time, he positively declares,
 A. D. 1169. " he would die in banishment, rather than
 " make any peace, unless these were restored."
 He likewise tells them, " that Vivian and
 " the bishop of Seez had assured him, from
 " the mouth of the king, that, if the peace
 " was not stopt, that prince would give him
 " a thousand marks; but he notifies to them
 " a resolution to demand in present a moiety
 " of the full value of the moveables lost,
 " and to be directed by the advice of the pope,
 " or the clergy, concerning the remainder;"
 adding, " that, with regard to this, he was
 " willing to shew a patient forbearance, in
 " consideration of the devotion towards the
 " church, and the cordiality towards him,
 " which the king should give proof of in his
 " future behaviour; because it was expedient
 " for the church of Rome, as well as of Eng-
 " land, that she should have something in
 " her power *to keep him in awe with*, and to
 " bring out against him, if he should begin
 " new disturbances and *seditions*."

When this paper was delivered, the king made evasive answers, which seemed to consent to all that was demanded, but were clogged with such conditions as he was certain the archbishop would refuse to submit to. And the *kiss of peace*, which was then a customary form in all reconciliations, he plainly said he could not grant, though he was very willing
 V. Epist. 61. to do it; because, in the heat of his anger, he
 62. l. iii. had

had publicly sworn, that he never would give it to Becket; but he declared he would retain no rancour against him. It ill became an archbishop to make light of a difficulty founded on a strict sense of the obligation of an oath; nor could a subject, consistently with any sense of his duty, require his sovereign to disgrace himself in the eyes of the world, by publickly departing from what he had publickly sworn. Yet this seems to have had no weight with Becket; and we are told that the opinion of the king of France and the earl of Blois, whom he consulted upon it, helped to determine him not to accept of a peace without this form.

BOOK III.

A. D. 1169.

Epist. 46. l.v.

Quadrilogus.

Vivian was much soured at the ill success of the negociation, which the king had made him renew; and set out again to go to Italy. As soon as Henry was informed of his departure, he sent a messenger after him, with many fair words, and a gift of money; but this was returned by the nuncio with a decent complaint, “that, after he had laboured so much in his service, and had lost for him the favour of many and great persons, Henry should endeavour to render him infamous, as being corrupted with bribes.” In the same epistle he exhorted him to grant the archbishop’s petition, to give that prelate *the kiss of peace*, and, by a liberal reparation, to atone for the crime of having unjustly seized his goods and those of his friends: which admonition was concluded by a positive declaration, “that, if
“ Henry

V. Epist. 61.

63, 64. l. iii.

BOOK III. "Henry should now reject this counsel, the
 A. D. 1169. "last he would give him, *repentance would*
" come too late."

The king from this letter had great reason to fear, that the soothing arts, which hitherto he had condescended to make use of, would not avail him much longer; and therefore he now had recourse to very different methods, more becoming the majesty of a great monarch, in order to secure his person and kingdom against the expected hostilities from Rome and Becket. With this intent he lost no time in sending over to England the following injunctions, which were of much the same nature with the orders he had given in the year eleven hundred and sixty-six, when the archbishop first threatened him with excommunication, but more extensive, and in some articles more severe.

Epist. 268.
 ut supra.
 Gervase Codex Cotton.
 l. i. p. 27.
 V. Epist. 54.
 liv. fol. 291.

V. Appendix. 1. If any person be found carrying letters from the pope, or any mandate from the archbishop of Canterbury, containing an interdict of divine service in England, let him be apprehended, and let justice be done upon him without delay, *as a traitor to the king and kingdom.*

2. Let no ecclesiastick, of what order soever, be suffered to go beyond sea, or to return into England, without a pass from the king's justiciary for his going out, and from the
 the

the king himself for his return, under pain of imprisonment. BOOK III.

A. D. 1168.

3. No man may appeal, either to the pope, or the archbishop.

4. No plea shall be held of the mandates of the pope, or the archbishop; nor shall any mandate of theirs be received by any person in England, under pain of imprisonment.

5. It is likewise generally forbidden, that any message be carried by any person, from any of the clergy, or laity, to the pope, or to the archbishop, under the same penalty.

6. If any bishops, clergymen, abbots, or laymen, shall obey the sentence of interdict, let them be instantly banished the realm, *and all their kindred*, and not suffered to carry with them any of their goods and chattels.

7. The goods and chattels of all those who favour the pope, or the archbishop; and all their possessions, *and the possessions of all who belong to them, of whatsoever degree, order, sex, or condition they may be*, shall be seized and confiscated into the hands of the king.

8. Let all clergymen, having any revenues in England, be summoned through every county, that within three months they return into England, as they value their revenues, which,
if

BOOK III. if they do not come by the term prescribed,
 A. D. 1169. shall be seized into the king's hands.

9. Let Peter-pence be no longer paid to the pope, but carefully collected, and kept in the king's treasury, and laid out according to his orders.

Most of these articles are unquestionably agreeable to the constitution of England : but two of them contained clauses entirely repugnant to natural justice, viz. the 6th and 7th articles, in which the penalties inflicted on those who should obey the sentence of interdict, or favour the pope or the archbishop, are extended to *their kindred, and to all who belong to them, of whatever degree, or order, or sex, or condition they may be.* Inheritances indeed are still liable to forfeiture for high treason, and even for felony, by our law ; as they are in most other countries : but the principles, alledged to justify that severity, will not extend to the case of the persons subjected to the penalties beforementioned. Those principles are, that no man can have *a natural right to inherit* ; such a right being derived from the positive institutions of civil society, which may therefore confer it with such restrictions or conditions as the safety of the community may be thought to require. And whatever a man is at liberty to dispose of, or give away from his children, the state may take from him, without injury to his children, if, *by his own*

own act, he has wilfully incurred the forfeiture of it according to law. But, that any person should forfeit, *by the act of another*, what belongs to himself, or suffer the loss of any natural right, for the delinquency of another, in which he no way partakes, and for which he has not voluntarily made himself responsible, is such an injustice as no government upon earth has power to authorise. Some nations indeed have put to death all the kindred of traitors. The Macedonians did so, though their kingdom was a limited monarchy; and the Carthaginians, though their state was a kind of republick. Nay, such was the inhumanity of the Roman civil laws, even under Christian emperors, that in one of Arcadius and Honorius it is called a *special act of imperial mercy* to grant to the sons of a convicted traitor *their lives*: and they are declared thereby incapable of any inheritance, not only from their father, but from any other relation, or of receiving any bequest from a stranger, or of attaining to any office or dignity in the state. Nor are these incapacities limited to the case of a treason committed by the father against the emperor himself, or his family; but extend equally to the sons of persons convicted of having conspired the death of any of his counsellors, or any of his senators, or even of any of those who served in his armies. And, what is more surprising, this unjust and barbarous law is transcribed in the *golden bull*, almost word for word, and makes part at this day

BOOK III.

A. D. 1169.

V. Codicis
l. ix. tit. 8.
ad legem Ju-
liam majesta-
tis, l. v.

BOOK III.

A. D. 1169.
V. Bullam
Auream,
c. 24. sect. 1.
4.

day of the constitution of the empire, as confirmed by the treaties of Munster and Osna-burgh, in the case of a conspiracy against the life of an elector, ecclesiastick or civil. But in these instances, and some others which might be produced, the principles of justice were sacrificed to an excessive desire of securing the government, by extraordinary terrors, against the danger of treasons. And thus, under the administration of King Henry the Second, the independence and majesty of the state having been shaken by the outrageous attempts of the pope and the clergy, it was judged necessary to arm the civil authority with these dreadful powers, that all the families of those churchmen, who might be inclined to abet any offence of that nature, should be obliged to restrain them, and to watch over their conduct with a vigilant eye, for fear of being themselves involved in the punishment of their crimes. It has been mentioned before, that the families of those bishops, who refused to obey the king's mandate for the election of Becket to the see of Canterbury, had been threatened with banishment by the Grand-justiciary Richard de Luci; and that it was actually executed on Becket's relations, and all who were intimately connected with him in any manner whatsoever. Nothing can justify such an iniquitous and cruel proscription of innocent persons. But that Henry and his justiciary did not act therein without some warrant of law may be reasonably inferred

ferred from these articles, which denounce the same penalties against all the kindred of other offenders, *before the offence was committed*: so that the extreme rigour of them cannot be imputed to any sudden heat of anger. They were certainly framed by the king with the opinion and advice of his council. None of his judges remonstrated against them as *illegal*. Nor does it appear, that afterwards, on his return into England, any complaint was made of them in parliament. But further, I find, that the same practice, of extending the punishment for offences of this sort to the whole kindred of the criminal, prevailed, during this age, in the kingdom of Scotland. For in the year eleven hundred and eighty-one, some clergymen having presumed to pay their obedience to the bishop of St. Andrews, who had been driven into exile by William the Lion, king of Scotland, and had thereupon excommunicated some of his nobles, that prince banished them, and all their relations with them, *even those* (says the contemporary abbot of Peterborough) *who were still in their cradles, or at the breasts of their mothers*. It may be said, that the Scotch king derived this act of tyranny from the precedent set him by Henry the Second in England: but I think it more likely that the governments of both kingdoms had taken it before from some other source; and most probably from the Roman imperial law, which, as hath been observed in the preceding book of this history, began
early

BOOK III.

A. D. 1169.

V. Benedict.
abb. sub ann.
1181.

BOOK III. early in this reign to mix itself with the ancient
 A. D. 1169. jurisprudence of England.

However this may have been, the articles above-mentioned were received with no marks of dissatisfaction or dislike by the lay-subjects of this kingdom, who took an oath to observe them in every particular. And the manner of doing it is remarkable. The sheriffs were ordered to summon all the military tenants, and other freeholders, in their several counties, to appear at the county-court, and there be sworn to these articles; which was likewise to be performed in all cities and boroughs. They were also to send their officers into the villages, and by them the inferior orders of peasants, who did not come to the county-court, were to have the same oath administered to them. It was accordingly taken by all the laity throughout the whole kingdom, from boys to decrepit old men, as we learn from Gervase of Canterbury, a contemporary historian, who calls it an *abjuration of obedience to pope Alexander and the archbishop of Canterbury*. Bishop Stillingfleet terms it, *an oath of supremacy made so long ago as in the reign of King Henry the Second, and by his command*. He also mentions it as a *very remarkable thing*, that the bringing over letters from the pope, or any mandate from the archbishop of Canterbury, should, by one of these articles, be punished as *treason*. But the following words explain these letters to be *mandates*, wherein was contained an interdict on the kingdom. And the purpose thereof

Gerv. Chron.
1408.

Gerv. Chron.
1409.

See also Cod.

Cotton. epist.

54. l. iv.

V. Stilling-

fleet against

Cressy, c. 5.

Of the penal

laws against

papists.

thereof being evidently to endanger the government, it was not improperly considered as an act of high treason, which ought to be punished by the most rigorous penalties the law could inflict. That all the laity took the oath demanded by the king, and bound themselves to obey such orders as these, without resistance or complaint, is a great proof how unanimously they still concurred with that monarch, in opposition to Becket and the papal pretensions. But the clergy were not so tractable. For when Geoffry Ridel, archdeacon of Canterbury; Richard, archdeacon of Poitiers; and some lay-officers of the crown, were sent by the king with instructions to assemble all the bishops and abbots at London, and to demand of them the same security with regard to the articles above-mentioned, none of them would appear there, or in any manner give a countenance to this proceeding. The bishop of Winchester first protested against it, declaring that he would, to the last moment of his life, most devoutly obey the apostolical mandates, and those of the church of Canterbury, to which he had vowed fidelity and obedience; and he enjoined all his clergy to do the same. The bishop of Exeter followed the example of that prelate, and then retired into a monastery. The bishop of Norwich, though expressly forbidden by particular orders from the king, published a sentence of excommunication against the earl of Chester and several others, conformably to injunctions laid upon him by

BOOK III.
A. D. 1169.
V. Epist. 65.
l. iii.
V. Epist. 45.
49. 65. l. iii.

Vol. IV. T Becket;

BOOK III. Becket, even in the presence of the officers
 A. D. 1169. who brought the prohibition. Then descending from the pulpit, he laid his pastoral staff on the high altar, and said, "he would see who would dare sacrilegiously to stretch out their hands against the lands or goods of his church:" after which going into the cloister of the abbey, he lived there with the monks. The bishop of Chester was equally obedient to the archbishop's injunctions; and then, to secure himself from the officers of the crown, he withdrew into a part of his diocese inhabited only by the Welsh. Thus did the clergy declare an open rebellion against the royal authority, rather than venture to offend their master, the pope. As to the laity who had taken this oath, they were absolved from the obligation of it by letters from Becket, which he found secret methods to convey into England: but that many of them desired to avail themselves of the benefit of this absolution does in no wise appear.

A. D. 1170. The king's thoughts were now intent upon a matter of importance, which he had for some time been revolving in his mind. His eldest son was the darling and delight of his heart. If he should happen to die during the tender age of that prince, it was possible that some of the nephews of Stephen, or the earl of Boulogne, who had married the daughter of that king, might aspire to the crown. The election of Stephen against the many repeated oaths, which the whole nation had taken to establish the
 the

the succession in the Empress Matilda, made such engagements appear an insufficient security. BOOK III.
A. D. 1170.

Some other precaution was therefore supposed to be necessary, and, agreeably to the general custom of those times, it was thought most advisable for the king in his own life-time to crown his heir, and, with the consent and authority of parliament, declare him king *in subordination to himself*: I say, *in subordination to himself*; for, although this coronation made him a sovereign over all others within the realm, it left him a subject with respect to his father, and he owed the same allegiance to him as before. Nor was there annexed to this royalty any separate appenage, or independent jurisdiction; so that indeed it was no more than an empty title, which gave an increase of dignity, but none of power, unless when the father should be out of the kingdom, or under some incapacity to exercise his authority: for then it was understood that the administration would, of course, devolve to the son. This had been continually practised in France, from the reign of Hugh Capet down to Louis the Seventh, who was then on the throne. And from hence I think it evident, beyond all contradiction, that the kings of France in those days acknowledged in the nation a right to confirm or alter the succession: since they did not rely on any natural or legal claim, which their eldest sons had, at their decease, to succeed to the crown; but desired to secure it to them by this anti-

See Hale's
Pleas of the
Crown.

See P. Da-
niel.

BOOK III.

A. D. 1170.

cipated election. Had it been acknowledged, as a maxim of law in those times, *that the throne could never be vacant*, this practice, which meant only to prevent such a vacancy, could not have prevailed in that kingdom. The policy was the same with that of the emperors of Germany now, when they endeavour to induce the diet to elect a king of the Romans: nor can any thing give us a more perfect idea of the nature of these coronations. Upon a similar motive, and in a similar manner, King Stephen had attempted to crown his son Eustace; but yet it must be owned, that strong reasons might have been urged to dissuade King Henry the Second from having recourse to this measure, in order to secure his son's succession. He might have been told, that the desire of *regal power* would be apt to accompany the name of king; and, as he did not intend a participation of *that*, it was not prudent, by unnecessarily giving the other, to kindle an ambition in the mind of his son, which might easily produce a dangerous flame. That the young prince, who was naturally of a high spirit, would be much more exalted in his own imagination by the accession of this new dignity; nor would there be wanting some wicked flatterers to blow up that pride, and suggest to him notions that *obedience* and *royalty* were incompatible things, or at least that the latter ought always to bring with it some real advantage, besides the empty title and pageant robes of king. That this method.

method of securing the succession, unknown, ^{BOOK III.} unthought-of in England, till vainly attempted by Stephen, was authoris'd chiefly by the practice of France: but from that kingdom itself examples might be alledged, to shew the great inconvenience and danger attending it. Hugh Capet, who introduced it in favour of Robert, his eldest son, had often repented ^{Glaber, l. iii.} the taking of that step, from the disquiet he suffered by his son's disobedience, and desire of meddling in the government, after being raised to the throne. And when Robert himself had been persuaded, by the solicitations of his wife, against the opinion of his wisest counsellors, to crown his son, he had the mortification to see that prince rebel against him, in order to obtain a greater share in the government, or at least some province in which he might exercise royal authority. Philip the First had been forced to give up two provinces to Louis le Gros, whom he had likewise made king: and if, in other instances, no disturbance had ensued from these premature coronations, it was either because the father had happened to die very soon after the son had been crowned; or because the son did not live to feel that ambition, which such a nominal exaltation to sovereign power must naturally irritate, but could not assuage.

In these objections there was undoubtedly a great force of truth; but in answer to them it may have been speciously urged, that if the

BOOK III. advantages attending this practice in France, to the royal family and the realm, had not been found by experience to outweigh very much the inconvenience or danger, it would not have been so long continued. That the same thing had been practised in the latter empire of Germany, with the free consent of the states; and in the kingdom of Sicily, by Roger, the founder of the Norman monarchy there, who, in the year eleven hundred and fifty, about four years before his death, had crowned his son William; an example of great authority, both from the character of that prince, one of the wisest that ever reigned, and from the conformity of the government in its constitutional principles with that established in England. That, although the custom had not prevailed in this nation since the uniting of the heptarchy, it was not without a precedent among the Anglo-Saxons. For Offa the Great had crowned his son in the kingdom of Mercia; nor had any ill consequences happened from it there. That it was the safest and best provision against many accidents to which all kingdoms are liable, such as the long absence, or sickness, or captivity, of their kings; and for the preventing of factions, which nothing encourages so much in a monarchy as an unsettled succession. That the right of primogeniture was not firmly established in any kingdom of Europe. That, as Henry had many sons, he could find no other method so sure and effectual to hinder any of them

them from attempting to overpower that right, BOOK III.
 in times to come, by the strength of a party A. D. 1170.
 among the nobles or people, as the crowning
 of the eldest during his own life, and without
 further loss of time: for this would produce
 in the minds of the younger an habitual obe-
 dience to him as their sovereign; which, if
 they did not contract it in their infancy, they
 might not so easily learn in a riper age; espe-
 cially having before them the example of the
 three sons of William the First, the two
 youngest of whom successively obtained the
 dominion of England, without any regard to
 the title of the eldest, who never was able to
 make it good. And the obligation conferred
 on Prince Henry by this increase of his dig-
 nity, together with the future more solid ad-
 vantages he would be sure to draw from it,
 must, in all reason, be rather an additional
 bond, to secure his obedience and duty to his
 father, than any incitement to depart from
 them, as those who argued against it had sup-
 posed.

These considerations prevailed; and, in-
 deed, it seems that the king had been deter-
 mined upon the measure some years before.
 For, when the see of Canterbury was vacant,
 by the death of Archbishop Theobald, as he V. Epist. 45.
 then apprehended that the election of Becket l. v.
 might meet with some difficulty, he obtained a
 bull from the pope, empowering him to cause
 his son Henry to be crowned by what bishop
 he pleased. This appears from a letter written

BOOK III. by that prelate; and from another, written to him, we also learn, that, in the year eleven hundred and sixty-four, it was reported in France, that the coronation would be performed by the hands of Pope Alexander, who was to go to England for that purpose. John of Salisbury, who sent this intelligence, adds, that it was imagined the design of crowning the prince was *deferred* on that account. There is reason to think that this report was well founded; for, as Louis le Jeune had been crowned, during the life of his father, by Innocent the Second, who then was in France, Henry might naturally wish, in similar circumstances, to procure the same honour to be done to his son by Alexander the Third. But this, I suppose, was prevented by the subsequent disputes between him and that pontiff. After that time no further mention is made of this business, till the year eleven hundred and sixty-eight, when (as a passage in a letter then written informs us) Henry's ministers were employed to negotiate about it at Beneventum. Some modern authors have supposed, that the principal motive, which induced that monarch to it, was the example of Philip the First, king of France, who, when his own person was threatened with an excommunication, had crowned his son, and by that means had prevented the revolt of his subjects, and all the disorders that would otherwise have ensued when the sentence was past. But it has been shewn, that, when Henry was under no apprehensions of spiritual censures,

A. D. 1170.

V. Epist. 241.

l. l.

V. Epist. 67.
l. iii.P. Daniel,
t. iii. p. 341.
See also
Carte.

sures, he entertained the same design. Never-
 theless it is probable that this may have deter-
 mined him to accomplish it *at this time*. But,
 the archbishop of Canterbury being out of
 the kingdom, and the crowning of the kings
 of England having for some time been re-
 puted one of the rights of that see, the cere-
 mony could not be performed in his absence,
 without an objection in point of form, which
 might give a pretence to dispute the validity of
 it, and much affect the superstitious minds of
 the vulgar, with whom forms are essentials in
 solemnities of this nature. To this objection
 the former bull obtained from the pope was
 not a good answer, because Alexander gave
that on the supposition of there being no arch-
 bishop of Canterbury when the young prince
 should be crowned, and not in derogation to
 any privilege of that see. William the First
 indeed had been crowned by the archbishop of
 York: but there was at that time no arch-
 bishop of Canterbury acknowledged by the
 pope: for Stigand's election was deemed not
 canonical, and (as Becket affirms in a letter to
 Alexander) he was then excommunicated by
 the apostolical see, for holding, against her
 prohibitions, together with Caunterbury, the
 sees of Winchester, London, Worcester, and
 Ely. Another more recent example, which
 the king had to plead, was the coronation of
 his grandfather, Henry the First, by the bishop
 of Hereford, in the absence of Anselm, who had
 then left the kingdom, upon a dispute with the
 crown

BOOK III.
 A. D. 1170.

V. Epist. 45.
 l. iv.

V. Epist.
 predict.

Ibidem.

BOOK III. crown of much the same nature as that of Becket at present : but the bishop of Hereford acted as substitute to his absent metropolitan ; and, as soon as Anselm came home, the king excused what had been done from the necessity of the time, and, delivering to him his crown in the presence of all his nobility, desired to receive it from his hands ; *because the anointing and consecrating a king of England was a dignity annexed to his see* : which being thought by the archbishop a full satisfaction, he approved the act of his suffragan, and replaced the crown on the head of Henry. After such an extraordinary compliment made to the see of Canterbury in this matter, by so prudent a king, whose example in most points was a law to his grandson, the latter could not easily dispute its pretensions. But, as he would neither suffer Becket to return into England, nor any longer defer his son's coronation, it was necessary to act as if there had been no archbishop of Canterbury, and let the ceremony be performed by some other prelate. The archbishop of York, as the highest in dignity, appeared the most proper to execute such a function. In the year eleven hundred and sixty-two, after Becket's election and consecration, he had claimed that office as one of the rights of his see, and obtained a bull from Pope Alexander himself to confirm it, on the foundation of many precedents, which he brought to support it, from times antecedent to the Norman government in this kingdom. Nevertheless, Becket afterwards procured from that pontiff a revocation

V. Epist. 10.
l. i.

revocation of this bull, by a letter forbidding BOOK III, A. D. 1170. V. Epist. 41, l. iv. the archbishop of York, and all the bishops of England, to do any act against the authority and dignity of the church of Canterbury, which being materially concerned in this particular, it was naturally understood that hereby the former grant was repealed. There is no date to this letter; but from others we find, V. Epist. 36, l. iv. 24. l. v. that it had been received before this time; and, as the king was apprehensive that none of the bishops would venture to disregard the prohibition it contained, he ordered two of the ministers whom he sent to the pope after the conclusion of the conference at Montmirail, viz. Richard Barre and the archdeacon of Landaffe, to use their utmost endeavours to obtain from Alexander a new letter, not only to impower, but command, the archbishop of York to crown the prince, his son, at any time, when he should require it of him. One can hardly conceive that Alexander should have been brought, by any persuasions, to grant a request which he knew was so offensive to Becket. But yet he did grant it; and declared *that this office belonged to the see of York*. The letter is extant in manuscript MS. Cotton. Claudius, b. II. fol. 288. among those of Becket, both in the Cotton library and in the Bodleian; but, for the honour of the pope, it was omitted in the edition made of them at Brussels from the Vatican manu- MS. Bodley. See also the Appendix. script. Henry received it, on the return of Richard Barre and the archdeacon of Landaffe, about the latter end of the month of February,

in

BOOK II.

A. D. 1170.

Benedictus

Abbas, sub

ann. 1170.

in the year eleven hundred and seventy. He had kept his Christmas at Nantes, with Geoffrey, his son, in the most pompous manner: and after the solemnity of that festival they had made a progress together over all Bretagne, to receive the homage and fealty of the nobles and freemen of that dutchy, who had not paid it before. We likewise are told that the king proceeded judicially against the earl of Pontieure, and deprived him of almost all the honours and power he had possessed in that country: the cause of which, I make no doubt, was his not having appeared to pay his duty to his prince on this occasion, or some act of rebellion or contumacy of which he was guilty. For no complaint was made by Louis of any injustice having been done by this sentence, or of any breach of the amnesty granted to the confederate lords in Bretagne by the late treaty of Montmirail; as there would have certainly been, if Eudo had not deprived himself of the benefit of that treaty by his own fault.

V. Epist. 18.

L. iv.

These affairs being settled, Henry returned into Normandy, and, through the mediation of some of his clergy in that country, proposed to Becket new offers for an agreement between them, upon general terms, namely, *that each of them should perform what he owed to the other*. But he seems to have done it only to amuse the archbishop, till he should hear what success John of Oxford and the two archdeacons of Rouen and of Seez, whom he had sent to Benaventum soon after the conference held at

Montmartre,

Montmartre, had met with in their business. BOOK III.
 Of this an account was brought to him by A. D. 1170.
 Richard Barre and the archdeacon of Landasse, together with the above-mentioned letter, or mandate, to the archbishop of York. Upon which he immediately signified to Becket, who had set out from Sens in order to attend him at Caen, that he would have him proceed no further; because he was obliged to go over into England without delay.

Before the return of these ministers, that prelate, being aware, either from intelligence or suspicion, of Henry's purpose to crown his son, had entreated the pope to assert the right of the see of Canterbury, and to lay a restraint on the archbishop of York, and all other English bishops, from presuming to intermeddle in that coronation; which was granted to him in terms as strong and ample V. Epist. 4^{ta} iv. as he himself could desire. The privilege of his see was declared, and the prohibition enforced by the apostolick authority. Nay, the bishops were told, that, if any one of them should presume to attempt it, he should undoubtedly know, that it would be to the great peril of his office and order. His Holiness also denied them any appeal to himself on this matter. The letter is dated the twenty-sixth of February, and must have been sent within a few weeks after that, in which Alexander, by the same apostolick authority, had impowered and commanded the archbishop of York to crown V. Epistolam MS. in Appendix. the young prince, as the performing of that function.

BOOK III. *function belonged to his see ; which he took*
 A. D. 1170. no notice of to Becket. It also appears that
 V. Epist. 45. he earnestly desired the king to conceal from
 L. v. that prelate his having received such a letter.
 A more scandalous instance of double-dealing
 can no where be found ! And it will be seen
 that his Holiness, in the progress and con-
 sequences of this business, went still greater
 lengths, with the most astonishing impudence
 of dissimulation.

Besides the mandate concerning the young
 prince's coronation, John of Oxford and the
 archdeacons of Rouën and of Seez had obtain-
 V. Epist. 1. 4. ed for the king, that a commission should be
 14. L. v. sent by the archdeacon of Landaffe and Richard
 Barre to the archbishop of Rouën and the
 bishop of Nevers, for the concluding of an
 agreement between him and Becket, on terms
 which he himself had proposed to his Holiness
 by the advice of his council. They were ex-
 pressed in these words, " that, for the love of
 " God, of the pope, and of the church of
 " Rome, the king would permit the archbishop
 " of Canterbury to return in safety to his
 " church, and to hold and enjoy it in peace,
 " and all his possessions, as he had held them
 " before he went out of the kingdom, while
 " he was in the king's favour ; and the same
 " to those who were banished on his account."
 And whereas the king, out of regard to the
 publick oath he had sworn, not to give Becket
the kiss of peace, had proposed, that his eldest
 son

son should give it for him, Alexander con-
 sented to accept the expedient, if the archbishop
 himself could be induced to agree to it; and
 ordered the legates to labour that point with
 him, unless they could persuade the king to
 give up his scruple; which to render more
 easy, he absolved him from his oath, and in-
 joined him to give the kiss, *for the remission of*
his sins: at the same time admonishing Becket,
 that, as much as he could with safety to the
 liberty of the church, and without any danger
 to himself, or his friends, he should humble
 himself towards the king. But if, upon these
 conditions, peace was not concluded within
 forty days after the king had been admonished
 by the legates to make it agreeably to his pro-
 mise, they were then commanded to lay all his
 dominions in France under an interdict, with-
 out any allowance of a further appeal, unless
 they were certain, that, soon after the expiration
 of that time, he would fulfil the terms pre-
 scribed, or that the archbishop would agree to
 receive the kiss from the son, instead of the
 father. They had also power, upon an as-
 sured expectation of peace being made, to ab-
 solve the excommunicated, with a proviso,
 that, if the expected reconciliation did not
 ensue, their former sentence should be re-
 newed without appeal. And Alexander said,
 in a letter he wrote to the king, " that if peace
 " should not be made, upon the plan now
 " laid down, and they who had declared their
 " appeal to the see of Rome thought proper
 " to

BOOK III.
 A. D. 1170.

BOOK III. "to pursue it, he would hear their defence
 A. D. 1170. "and judge their cause, as God should inspire
 "him; for which hearing, he appointed the
 "next feast of St. Luke." His Holiness was
 unwilling to incumber the treaty with any
 further conditions; yet he instructed the le-
 gates, "that they should endeavour to gain
 "for the archbishop a thousand marks, which,
 "Vivian had told him, the king was willing
 "to give that prelate, as a supply for his pre-
 "sent necessities: but, in case of a refusal,
 "the reconciliation was not to be stopt on
 "this account. And they were further di-
 "rected, that, not immediately after the peace
 "was concluded, but within a short time, as
 "their discretion should judge most proper
 "and convenient, they should, in the name
 "of the Lord, admonish the king, and in-
 "join him, for the remission of his sins, *to*
 "abolish the evil customs or laws of his realm,
 "especially those which he had of late intro-
 "duced, against his own salvation, and the
 "liberty of the church; to release his bishops
 "and other subjects from the observance of
 "them; and repay to the archbishop, and those
 "that belonged to him, the profits of the re-
 "venues which he had seized. If the king,
 "upon their admonition, did not yield to
 "these propositions, then they were ordered,
 "as soon as possible, to signify by a letter to
 "his Holiness, in concert with Becket, which
 "of the customs it was most necessary to insist
 "on the abolition of, and how much of the
 "profits

“ profits received by him the king was willing BOOK III.
 “ to pay.” All this was thrown in only A. D. 1170.
 to stop Becket’s mouth, that he might not
 complain of those points being given up by
 the pope, which he and his friends had most
 at heart. For there was no great likelihood
 that the king would be brought to do any
 thing *after the peace*, which he would not do
for the peace. And Becket so understood it ;
 for he was extremely dissatisfied with the com-
 mission, and told the pope, “ the king had been V. Epist. 24.
 “ summoned often enough upon this matter, l. v.
 “ and it was time to proceed to judgement.”
 His disgust was much encreased by the abso- V. Epist. 20.
 lution of the bishops of London and Salisbury, 21. l. v.
 which the pope had particularly ordered the
 legates, or either of them, to give, in terms
 very honourable to the bishop of London,
 whom his Holiness called *a religious, learned,*
prudent, and discreet man ; only taking an oath
 of them, as was usually done on these occasions,
 that they would submit to his mandate, with
 regard to the final decision of their cause.
 When Becket heard this, he wrote to his friends,
 Cardinal Albert and Gratian, in a style which
 expressed the utmost fury of resentment. *Satan*, V. Epist. 20.
 he said, *was let loose again to the destruction of* 21. l. ibid.
the church ; Barabbas was freed and Christ
was crucified a second time : adding that *St. Pe-*
ter himself, if he was upon earth, could not have
power to absolve such impenitent sinners. Hav-
 ing enlarged upon this, and bitterly inveighed
 against the court of Rome, he broke out into

BOOK III. these words, " I cannot defend the liberty of
 A. D. 1170. " the church, because the apostolick see has
 V. Epist. 1. " now protracted my exile to the end of the
 l. v. " sixth year. Let God see, and judge. *But*
 " *I am ready to die for it.* Let any cardinals,
 " who will, rise up against me, let them arm,
 " not only the king of England, but the whole
 " world, if they can, to my destruction; I,
 " by the divine protection, will neither living
 " nor dying recede from my fidelity to the
 " church. Henceforth I commit to God,
 " for whose sake I suffer proscription and
 " banishment, the maintenance of *his own*
 " *cause.* Let him find such remedies as he
 " knows how to apply in the greatest dif-
 " ficulties. I purpose to give no further
 " trouble to the court of Rome: let those
 " apply to it, who prevail in their iniquities,
 " and having triumphed over justice, and cap-
 " tivated innocence, return with pride and
 " boasting, to the confusion of the church." Thus wrote Becket to Cardinal Albert; and the other letter to Gratian was little different in matter or expression. He also made the whole band of his companions in exile write to them in the same style, and declare the same resolution not to litigate with their adversaries, but commit to God *his own cause*, as he had done. Yet the appearance in this matter was worse than the reality; for Alexander thought he might absolutely depend on the peace being concluded; as all the conditions of it had been previously settled between

V. Epist. 22,
 23. l. v.

tween him and the king, except the point of BOOK III.
A. D. 1170.
the kiss, which he presumed would be got

over one way or other, either by Henry's compliance, or Becket's accepting of the expedient proposed. As for the absolution of the bishops of London or Salisbury, considering that these prelates were both excommunicated without consulting his Holiness, and the latter extremely against his inclinations, it was no more than Becket had reason to expect; especially since he had paid so little regard to the warm intercessions which Alexander had made, that he himself would suspend or take off that sentence. Had he seen the mandate sent to the archbishop of York, he would have complained with more justice: but of that he had obtained no certain intelligence; and, the letter which he soon received from his Holiness being so contrary to it, he thought the rumour he had heard about it was false. The form used therein is very remarkable: "*By the* V. Appendix.

authority of St. Peter and ours, we grant, with the advice and consent of our brethren, that our dear son, Prince Henry, should be crowned king of England." This supposed in the pope and the college of cardinals a right and power to dispose of the crown of England: whereas the king had asked a bull only, to settle the ceremonial of his son's coronation. And thus did the see of Rome take every occasion of applications made to it for different purposes, to encroach upon the rights of civil states, and draw to itself all dominion.

BOOK III.

A. D. 1170.

Henry did not enough attend to the purport of these insidious words, but considered only the present benefit from Alexander's assent to what he desired, and, being impatient to put it in execution, lest Becket and his friends should find some means to prevent or obstruct it, he hastened over to England. While he was passing the channel, in the beginning of March, so great a tempest arose, about the middle of the night, that a fleet of fifty ships, which attended him in his passage, was dispersed and terribly shattered. One of them sunk, aboard of which was Radulph de Bel-lomont, the king's physician, and Henry de Agnis, who is called, by a contemporary author, *the most noble of the barons of England*, with his wife and two children, and several other considerable persons of the king's household, besides four hundred sailors and passengers of an inferior rank. The king, after his safety had been almost despaired of during eight or nine hours, got at last into Portsmouth, to the great joy of his kingdom, from which he had now been absent little less than four years.

V. Benedict.
abb. t. i. p. 2,
3.

So long an absence was one, and not the least inconvenience, that the many territories, which its sovereign possessed in France, inevitably brought upon England. Those dominions were in too unquiet a state to be easily governed by delegated powers, and often required the presence of Henry himself to keep them in order. While therefore that prince was

was necessarily employed in a very anxious attention to his interests there, or in wars entered into for the sake of those interests, he was obliged to neglect the government of his kingdom; and of this negligence he now felt the bad effects. There had arisen, in his absence, a great disorder and malversation in the collection of the royal revenues, and in all judicial proceedings, excepting only those of his own supreme court. To redress these grievances, of which complaints had been made from every part of his realm, was the first object of his care on his return into England. He kept his Easter at Windsor, and held a parliament there, wherein he appointed a commission of enquiry, consisting of earls, barons, knights, and some dignified clergymen, who were to divide the whole kingdom into different circuits, and, as they went over it, strictly to examine all persons concerned in the administration of justice; archbishops, bishops, abbots, priors, earls, barons, sheriffs, and their deputies; vassals, citizens, burgesses, and officers employed under them; officers of the revenue, of the king's lands, and of his forests; what they had taken of the several persons under their jurisdiction, while the king was in Normandy, judicially, or otherwise, upon what claim, occasion, or evidence, what extortion, what corruption, what partiality, what injustice, what fraud, or what neglect of duty, any among them had been guilty of, during that period of time. The several articles the reader may see more at large in the Appendix to this volume,

BOOK III.

A. D. 1170.

BOOK III. where the whole record is transcribed from
 A. D. 1170. Gervase of Canterbury, who lived at that time.
 Gervase, fol. And certainly it deserves a particular notice :
 1410. for in all the history of this kingdom there can-
 V. Appendix. not be found a more extraordinary exercise of
 the royal authority to the redress of mal-admin-
 istration. The constitution of England has
 vested in the crown, assisted by parliament,
 that superintending power over the conduct of
 magistrates, without the exercise of which the
 welfare of no government, and much less of a
 free government, can long be maintained. For
 the wisest system of laws will be destroyed by
 corruption, if there is not a continual and vi-
 gilant care to enforce their execution, to pre-
 vent the abuse of them, and to punish those
 ministers and officers of state who break their
 trust. When therefore our kings, to whom in
 the first place this care belongs, and by whom
 it is most easily and beneficially exerted, omit
 to attend to it, either through ignorance, or
 neglect, or any partial affection, it then becomes
 the duty of parliament to demand the redress
 of such abuses, and take those methods to ob-
 tain it, which, by its own proper constitutional
 powers, that assembly is enabled to use, and
 has used, to the great benefit of the publick,
 even from the earliest times of our govern-
 ment. The assistance of those powers may
 also be prudently called-in by the king in pro-
 secuting and punishing high misdemeanours,
 when the offenders are numerous, and able to
 form a strong combination against the royal
 justice.

justice. For the intervention of parliament ^{BOOK III.} strengthens the royal authority, and shields it ^{A. D. 1170.} from the odium which all extensive correction is apt to excite. This Henry well knew, and accordingly, in effecting this reformation, he wisely chose to proceed with the advice and concurrence of his great council: nor ever before or since that time has any king of England, in conjunction with his parliament, discharged a duty of this nature with such remarkable spirit. The whole nobility and magistracy of the realm was subjected to the enquiry now made. Even the ecclesiastical courts, established in each diocese, were not excepted. Justice seemed to have returned with the king into England, and to have summoned all who had abused the authority of her name to a general judgement.

Upon the report of the commissioners, ^{Benedictus abbas. Hoveden, sub ann. 1170.} Henry turned out at once almost all the sheriffs in the kingdom, and their bailiffs, or deputies, for oppressing his people, or defrauding the crown of its dues. Nor did he suffer them to go off without finding sureties to make proper satisfaction to the parties aggrieved, and likewise to the crown. The barons, who had a judicature in right of their lands, could not be deprived of it in the same manner as the sheriffs or bailiffs, who were removeable from their offices upon misbehaviour: but, as all who ^{Gervase, Chron. sub eodem anno.} had been charged with any offence by the commissioners of enquiry appeared with their sureties in the following parliament, to answer that

U 4

charge;

BOOK III

A. D. 1170.

Gervase,
Chron. sub
eodem anno.

charge; and as, in the letters of Becket, or of his correspondents, written after this time, I find not a word accusing Henry of partiality in all this proceeding; I think we may conclude, that they were severally obliged to make reparation for any injuries they had done to their suitors and vassals; though, from an expression in one of our ancient historians, it may be inferred, that the king remitted to them the fines, and all pecuniary demands, which were due to himself. Yet it does not appear, that he past, on this occasion, any act of oblivion. He seems to have kept the rod still over their heads, that he might deter them thereby from any similar misdemeanours in times to come.

Gervase, ib.

When he had thus re-established the good order of the state, and made his people the best reparation in his power for what they had suffered by his absence, he proposed to his parliament, which had been summoned to meet him at London on the feast of St. Barnabas, the affair of his son's coronation. They agreed to it without one dissentient voice. Gervase of Canterbury seems to insinuate, though obscurely, that the terror which some of them were under, on account of their past misbehaviour, made them more ready to comply with this request. But it is not clear that Henry wanted such an influence over them, to procure their consent. There is no trace of any faction among the temporal barons, from whence he might apprehend opposition to this measure. And as for the clergy, the authority he had obtained

obtained from the pope put it out of their power, if it had been in their will, to oppose his desire. Yet, to induce them to concur therein with more cheerfulness, he graciously connived at their late disobedience with regard to the oath he had required them to take. There being therefore no difficulty on any side in this business, it was settled in the great council that, on the following Sunday, the young prince, who was then sixteen years old, should be crowned in Westminster Abbey by the archbishop of York; which was accordingly performed on the fifteenth day of June, in the year eleven hundred and seventy; the bishops of Durham, of London, of Salisbury, and of Rochester, assisting in the ceremony, and (to use the words of an author who lived in those times) *the clergy and people assenting and consenting thereto.*

The prince had been knighted by his royal father that morning. On the next day homage was done to him by William, king of Scotland; which must have been for Lothian, that prince having surrendered the earldom of Huntingdon to David his brother, who in like manner did homage on account of that fief. No doubt, they had done it before to King Henry, the father, perhaps in the parliament held by him at Easter, where we are told they were present. As this transfer of the earldom could not have been made without the consent of that monarch, it is probable the two brothers had come into England on that business.

BOOK III.
A. D. 1170.

Hoveden, sub
ann. 1170.

Benedict. Ab.
sub ann. 1170.

BOOK III. business. It must be also supposed that the demand of Northumberland had been waived by King William: for that a grant or cession of that province was made to him now, or at any time before this, is not said by any author who lived in that age.

Matt. Paris,
p. 470.
Polydore Ver-
gil.

If we may believe some historians of later times, Henry received a strong proof, even during the ceremonies of his son's coronation, what he had to expect from the arrogance of that prince. It is said by Matthew Paris and Polydore Vergil, that, with his own hands, he served up a dish to his table; and that the boy, instead of thanking his father and sovereign for such an honour done to him, said to the archbishop of York, who complimented him upon it, "*that it was not a great condescension for the son of an earl to serve the son of a king.*" A contemporary writer so far confirms this account, as to say, *that the father ministered to the son at the feast, and declared that he himself was no longer king.* The same writer adds, *that he afterwards repented both of the words and the deed.*

Wilhelmus in
Quadrilogo.

Why he should thus speak or act, so greatly to the prejudice of his own royal dignity, no reason appears. For that, in exalting his son thus prematurely to the throne, he did not mean to descend from thence himself, nor even to give him an equal share thereof, the reserve expressed in the oaths, which were taken to that prince, undeniably proves.

As

As this was the first since the union of the BOOK III.
 Heptarchy, it was also the last coronation of A. D. 1170.
 a son during the life of his father in the kingdom of England. We also find that the practice was omitted in France after Philip Augustus; a more settled principle of an hereditary right to the crown, in a lineal course of descent, having prevailed from that time in both these nations; which made such a precaution unnecessary to secure the succession.

The Princess Margaret was not crowned at the same time with her husband, but remained in Normandy with Queen Eleanor, her mother-in-law, till the ceremony was over. Some of Henry's enemies, and particularly, V. Epist. 11.
 Becket's friends, spoke of this as a contempt l. v.
 designedly thrown upon her, and an affront to her father: which had such an effect on the latter, that he immediately took up arms and attacked the Norman frontier. Henry Benedict. abbas. Hoveden. Geruase, sub ann. 1170.
 was forced to leave England, and to go to repel this invasion, or to pacify Louis. He crossed the sea about Midsummer, and on the sixth of July had a conference with the earl of Blois, whose mediation he was desirous to employ in this business. It was no difficult matter for that earl to convince the king of France, when the heat of his passion was over, that no slight was intended either to him or V. Epist. 33.
 his daughter. For Henry, presently after l. v.
 his son's coronation, had sent orders to Normandy, that the young princess should prepare to come over to England, as soon as ever
 the

BOOK III. the royal robes and other necessities for the pomp, which she was to appear in, could be provided for her. If the prince had waited for these, it would have given such notice to Becket, and caused such a delay, as might have afforded some means to that intriguing prelate, if not to defeat, yet to embarrass and perplex the affair with such difficulties, as might be very unpleasant. This Henry much feared, and this alone was the cause why his daughter-in-law was not honoured with the ensigns of royalty together with her husband. Otherwise his own interest would have made him desire to give her that satisfaction, as he would have thereby engaged the king of France, her father, to concur with him in supporting the validity of the act against Becket's objections: which one of that prelate's friends, a person of good understanding, was so sensible of, that, in a letter he wrote to him concerning these transactions, he advised him in no case to make any opposition to her coronation. This matter was therefore so explained by the earl of Blois, that Louis was brought to an interview with Henry, in a meadow situated near Fretrevalle, upon the borders of Touraine, but in the district of Chartres. The result of this conference was a renewal of the peace between the two kings, and at the close of it Henry was induced to conclude a reconciliation with Becket upon the terms before settled between him and the pope.

V. Epist. 33.
ut *suprà*.

The

The archbishop had exerted his utmost en-BOOK III.
 deavours to delay the coronation of the young prince. As soon as he had received the letter A. D. 1170.
 from Alexander, which so positively forbid what that pontiff himself had lately authorised and commanded, namely, the crowing of the prince by the other metropolitan, some means were found by him to transmit it into England, with others written by himself to all the English bishops, wherein he declared, " that he
 " always had desired a peace. *in the Lord*, and V. Epist. 44.
 " was now ready to pay all due honour and 45, 46. l. iv.
 " reverence *in Christ* to the king, and to the
 " young prince, his son, and to anoint and
 " crown the said prince (if it were the king's
 " pleasure) according to the duty of his office,
 " as his predecessor had anointed and crowned
 " the king. He likewise notified to them,
 " that, by the authority of the pope, he forbid
 " any of them to presume to invade this pri-
 " vilege of his see, or to assist at such an in-
 " vasion, under pain of an anathema, referring
 " them to the apostolical letter or mandate,
 " which he had sent over." But the person V. Epist. 11.
 to whom all these letters were delivered did l. v.
 not dare to produce them. Others were sent
 to the convent of Canterbury, with no better
 success; and the bishop of Worcester, who
 then was in Normandy, having been sum-
 moned to attend the great council in England,
 upon the affair of the young king's coronation,
 an attempt was made to prevail on him to
 carry

BOOK III. carry over with him, and shew to his brethen,
A.D. 1170. a transcript of the pope's mandate, or perhaps
 the original, if (as seems the more probable)
V. Epist. 40. that, which Becket had before sent into Eng-
 ut *suprà*. land, was only a copy. The archbishop wrote
 Appendix. a letter, setting before him, in all the strong
 colours of eloquence, the courage and mag-
 nanimity of his illustrious father, the brave
 earl of Gloucester, and expressing great con-
 fidence that, upon such an occasion, he would
 not shew himself degenerate by a timid be-
 haviour. The whole discovers so much of
 the art and genius of Becket, that I have tran-
 scribed it into the Appendix belonging to this
 book. The bishop of Worcester, with much
 piety, was a vain and weak man. This flat-
 tery worked him up to a degree of enthusiasm,
 and made him despise all the danger which
 such a commission would expose him to from
 the rigour of the law. Indeed he risked less
 than any other person, who should commit
 the same offence; because the memory of his
 father was dear to the king, and the simplicity
 of his character was an excuse for his being
 misled, especially where he imagined that re-
 ligion was concerned. But, when he came
 to Dieppe, with an intention of passing into
 England, he received an injunction from Elea-
 nor, and Henry's Norman justiciary, Richard
 de Humet, not to go over; and, more ef-
 fectually to prevent it, an embargo was laid
 on all the ships in that harbour. Whether
 this was done on suspicion only, or in con-
 sequence

V. Fitzstephen
 in *vita* Bec-
 ket.

sequence of some notice of what he had charged himself with, is doubtful: but it shews the great vigilance of the government at that time to guard against the attempts which Becket might make to obstruct the coronation: from whence it may be presumed that Alexander himself had intimated to Henry, by the mouth of Richard de Barre, or of his colleague, that the measures he was obliged to keep with that prelate might force him to contradict the power he had given. Nothing indeed could be apparently more inconsistent than his whole conduct in this matter. For, besides the above-mentioned letter to all the bishops of England, by which he forbade any of them, except the archbishop of Canterbury, to crown the young prince, he sent not long afterwards another to Becket, wherein that prelate himself, as well as his brethren, was positively commanded, “not to officiate in
 “or be present at any such coronation, *unless*
“the king should first have released all his subjects from the observation of his customs, and
“from the oaths which he had lately compelled them to take.” This was in effect an absolute prohibition of Henry’s design of crowning his son: for Alexander could not but know that these conditions would not be complied with; and in the mandate he had sent, at the desire of the king, to the archbishop of York, there was not a word concerning the royal customs. He moreover added here another condition, viz. “that Henry should take the
 “same oath to the church, *especially the church* of
 “*of*”

BOOK III.

A. D. 1170.

V. Epist. 42.

l. v.

V. Epist. 43.

ibid.

V. Epist. 43.

suprà.

BOOK III. “*of Canterbury, which the kings his predecessors had usually taken.*” This arose from a suspicion of an intention to change the coronation oath, in which the pope was misled by some false information; as he was still more in the notion that the church of Canterbury was particularly named in that oath. It does not appear that the archbishop thought fit to make use of this mandate; nor, in truth, could he do so, without great indiscretion. But he was advised by a friend, whose name is concealed, to try, as his last resource, to induce the king of France to send messengers to Queen Eleanor and Richard de Humet, who should protest, on his part, against the coronation of the young prince. The counsel was judicious, and probably might have succeeded, if the execution of it had not been a little too late; but, before the message was sent, the ceremony was finished.

V. Epist. 11.
L. v.

How sensible a mortification it was to Becket, that he could by no means prevent the archbishop of York from performing this function, and how passionately he desired to do it himself, appears from a remarkable letter written to him by his secret friend above-mentioned.

V. Epist. 11,
ut supra.
Appendix.

“What will you do (says that person, who seems to have been much in his confidence) what will you do, most wretched of men, if, by the shortness of the time allowed you to act in with respect to this affair, you should be now defrauded of that, which

*"which you have sighed for so long, if he, BOOK III.
 "who ought to have reigned by none but you, A. D. 1170.
 "should be made king by another?"* These

words plainly discover, that one of Becket's views, in desiring to be elected archbishop of Canterbury, was that, by right of his office, he might crown the young prince, which would furnish a pretence to make him believe, *it was by him that he reigned*. Thus the bishops of Rome, because their ministry was employed in crowning the emperors; presumed to assert, that they gave the imperial crown, and that without their act an emperor could not be made. Becket hoped that the superstition and ignorance of the times would, in the same manner, ascribe to the archbishop of Canterbury the virtue and power of making kings of England, and that he therefore should most highly oblige his pupil in conferring upon him the royal dignity by the ceremonies of unction and consecration. But he now lost this hope. The prince was crowned by another, and (what displeased him more) by the rival of his see, and his personal enemy, the archbishop of York. From the influence of that prelate, which he apprehended would be much increased by this act, the royal youth might likewise become his enemy, and would be more easily made so by his denying the validity of that coronation. These thoughts were very painful to him; and his grief was inflamed to the highest degree of resentment by his secret correspondent, who warned him, that, in his

BOOK III. judgement, all Henry's professions of being disposed to a reconciliation were only deceit, by which he meant nothing more than to gain time for himself, and to ensnare him afterwards more securely. Nor did he tell him this merely as a notion of his own, but informed him that Richard de Ivelcestre, one of the king's excommunicated servants, when he came to fetch over the prince of England from Caen, had said to *him* (the person who wrote this anonymous letter), "that the king would by all means delay the peace with the archbishop, and, rather than make it, would disobey, to the end of his life, not only the pope, but God himself." From hence it appears that the person, who corresponded on this occasion with Becket, must have been one unsuspected by the king's friends, and to whom they spoke their opinions with the utmost freedom. He concluded his letter with this advice to that prelate, "use for the future no forbearance; but pour out your whole spirit, unsheathe your whole sword; for the eye of the king will never more look upon you. But may the eye of God look with favour upon you and the sheep of his pasture! *and may he deign to give his church the glory of a victory over princes, rather than an insincere peace with princes!*" The soul of Becket entirely sympathised with these words. They encouraged him so much, that he instantly wrote several letters to England, by which he put that realm under an interdiction within

A. D. 1120.
V. Epist. 11.
L v.

V. Epist. 11.
ut supra.

within fifteen days after the receipt of them; and in a peremptory manner, without excepting even the case of his peace being made. But it does not appear that these letters were over delivered.

BOOK III.

A. D. 1170.

V. Epist. 30.

35, 36, 37.

38, 39. L. v.

The pope was somewhat less hasty, and acted with more decency; yet he shewed that he would not bear a much longer delay. Henry had tried to obtain from him some prolongation of the term prescribed in his mandate, and had employed the mediation of the chief magistrates of the confederated cities in Lombardy, and of the ambassadors from the Greek emperor, Emanuel Comnenus, who were then at Beneventum; but their good offices in his favour had no effect. And, when Alexander heard that he was gone into England, he wrote immediately to his legates, the archbishop of Rouen and the bishop of Nevers, "to follow him thither without delay, and strongly admonish him to fulfil what he had promised in relation to Becket; which if he would not effectually do within the term of forty days after that admonition, or by any artifice eluded the seeing of them, they were ordered to put all his dominions on the continent under an interdict. And they were further to tell him, that, if he did not repent, *his Holiness was determined to spare him no more than he had spared the emperor Frederick* (whom he speaks of in this letter as

V. Epist. 28.

L. v.

V. Epist. 4.

L. v.

BOOK III. "being *deposed*), and would certainly *publish*
 A. D. 1170. " *against him the sentence of excommunication.*"

V. Epist. 14.
 l. v.

Before Henry was informed of these orders having been sent, he had written to assure the archbishop of Reuen, "that he would fully
 "and willingly ratify that form of peace,
 "which, by his advice and by that of the other
 "lords of his council, he had himself proposed
 "to Alexander, and of which his Holiness had
 "declared his grateful acceptance." This letter is dated at Westminster, and seems to have been sent not long after the time of his arrival in England. The language held in Normandy by Richard de Ivelcestre agreed very ill with this declaration: but that minister rather spoke his own private opinion than the sentiments of his master, judging perhaps of those sentiments from the affront done to Becket in the affair of the coronation, and other acts that bore a face of hostility and defiance, but were only designed to humble the arrogance of that prelate, and fright him into a temper more condescending and submissive with regard to the king. Yet, as Henry delayed the execution of his promise, the legates would have immediately obeyed their instructions, if they had not been prevented by a letter from him, in which he declared, that he should soon return into Normandy, and would have them wait for him there, without exposing themselves to the inconvenience and danger of passing the sea. To this they agreed; which

V. Epist. 46.
 l. v.

which much offended Becket, who vehemently desired that no further complaisance should be shewn to the king in this negotiation. BOOK III.
A. D. 1170.

He appears not to have known that all the articles of the agreement which Alexander prescribed had been previously settled by the archbishop of Rouen and Henry himself, before they were sent from Beneventum. For, in a letter which he wrote to one of the legates upon their design of going over to England, he desired them to conceal their instructions from Henry, *that he might not know how much they had power to yield*, and pretend to break off the treaty, if that prince would not pay the thousand marks he had promised by Vivian. He also pressed them to insist, that some of Henry's chief nobles, or one of them at least, and all the bishops of England, should make themselves pledges, or guarantees upon oath, for the execution of the treaty. But, if the king could not be persuaded to give these securities, he insisted on their demanding, that the form of the peace should be set down in letters patent under the great seal; and that one transcript thereof should be delivered to him, another to the pope, and a third to the legates. He further desired them to require, that the possessions of the church, which had been taken away, should be put into their hands, to be by them delivered to his officers. Without the performance of these two last articles, he told them, they were not to consider the peace as certain; and therefore ought

BOOK III.

A. D. 1169.

not to absolve the excommunicated. Other conditions were added by him, which shew how exceedingly cautious and punctilious he was in his manner of treating, and how little satisfied with the plan of agreement sent to Henry by the pope. In the conclusion he thus directs them how to negotiate with the king.

“As it is not easy to discover the manifold
 “artifices of *that monster*; whatever he says,
 “whatever shape he puts on, suspect it all as
 “full of deceit, unless it be manifestly proved
 “by his deeds: for if he should perceive that
 “he can either corrupt you with promises, or
 “fright you with threats, or obtain any thing
 “against your honour and the safety of the
 “cause, all your authority with him will in-
 “stantly vanish, and you will become the con-
 “tempt and the jest of him and his court.
 “But, if he sees that he cannot bend you from
 “your purpose, he will at first counterfeit
 “fury, he will swear, forswear, take as many
 “shapes as Proteus did, and at last come to
 “himself again; and, if it is not your own
 “fault, you will be from that time *a God to*
 “*Pharaoh*.” With such an insolent disrespect
 did this prelate talk of his sovereign! But all
 these admonitions proved ineffectual. The
 legates, well knowing that the king had seen
 their instructions, adhered to them strictly;
 and Becket had nothing left to ground a cavil
 upon, except the punctilio of the kiss, which
 Henry refused. He said, “it was a form
 “established, among all nations, and in all
 “religions,

v, Epist. 12.
 h. v.

" religions, without which peace was no where BOOK III
 " confirmed. That if, instead of receiving it A. D. 1170.
 " from the king, he received it from his son, it
 " might be said in the world that he was only
 " restored to the prince's favour, not the king's;
 " which if the vulgar should hear, it would
 " give them an occasion to reflect on the
 " peace." These arguments were so trifling,
 that he himself must have felt the weakness of
 them. For, if Henry intended to act in-
 sincerely in this reconciliation, how could he
 think that his having been compelled in so
 offensive a manner to give the kiss of peace
 would alter those intentions? how would it
 avail more to *him* than it had done to the no-
 bles of Poitou, mentioned in the same letter, V. Epist. 12.
 with whom he says that the king had broken l. v.
 his engagements, though taken under that
 pledge? In truth, he did not insist upon this
 ceremony for the sake of security. It was a
 humiliation to which he malignantly desired
 to bring the king, who could not recede from a
 vow he had publicly made, without a publick
 dishonour. The triumph of constraining him
 to buy his peace, by such a stain on his cha-
 racter, flattered the pride of Becket, and soothed
 his resentments. But it irreconcilably of-
 fended Henry, who could not forgive the cruel
 arrogance of such a proceeding. The pope V. Epist. 1.
 indeed of his own accord, and without his l. v.
 having asked it, had absolved him from his
 vow; but he remembered what answer his wife
 and royal grandfather, Henry the First, had, Eadmer Hist. Nov. l. v. p. 126.

BOOK III. by the advice of his council, returned to Calixtus the Second, who offered to absolve him from an oath he had taken on a similar occasion. *"The pope says, that, by his apostolick authority, he will absolve me from the vow I have solemnly made, if, against that vow, I will receive Archbishop Thurstan in York. But it does not seem agreeable to the honour of a king that I should consent to such absolution. For who will afterwards trust any promise made upon oath, if, by the example of what has been done in my case, it shall have been shewn that the obligation of an oath may be so easily cancelled?"* There was great dignity and truth in these words. Henry the Second must have felt, no less than his grandfather, that the pope's absolution in this case could not heal his honour; and therefore he shewed such reluctance to yield the point to Becket. Nevertheless, as that prelate continued obstinately to refuse the expedient proposed, he was compelled to submit to this grievous indignity, or stand all the consequences of not making the peace by the limited time. If he had possessed no dominions out of this island, he would not have had much to apprehend from those consequences; for the English nation was certainly in no disposition to join with Becket against the crown, much less to revolt from their allegiance to the king; and, even supposing they might have scrupled to pay him obedience, they would without difficulty have obeyed the young king, his son, in whose name the whole government might have

have been easily carried on till that storm was past. But the danger was on the side of his foreign dominions. Many of these, he was sensible, were disposed to rebel; being full of nobles whom he had punished for their former revolts, or who were conscious to themselves that they merited punishment. The king of France might be brought, by the instigations of Becket, to take on himself the execution of the anathema pronounced by the pope, or, in the language of that age, *to join his sword to that of St. Peter*. His bigotry and his policy would equally incline him to act this part. Nor could Henry much doubt that the renewal of the war between Louis and him, upon a pretence of religion, would produce a new insurrection in Poitou and Bretagne, and possibly shake the fidelity of all his other French subjects. By two letters of Becket, written not long before, it appears that the confidence that prelate was founded on the hopes of such a defection, in case that an interdict should be laid on the territories of Henry in France. *If the pope (says he to his friend the archbishop of Sens) would but do that, there is nothing he could require, which, without difficulty or delay, he might not obtain. For the nobles favour the church.* In the other letter he says, that, *whatever the king might pretend or threaten, he would not dare to deny any thing that the pope should ask of him, if his Holiness would resolve to stretch out his hand against his dominions on that side of the water. Nay, the*
menace

BOOK III.

A. D. 1169.

v. Epist. 61.

65. L. iii.

BOOK HL. *menace of it would be sufficient to obtain all demands, without putting the sentence in execution.*

A. D. 1170.

V. Epist. 139.

And, in a former letter of confidence to some of his friends in the court of Rome, he wrote thus: *Know, that the archbishop of Rouen and some others have told the king to his face, that none of them would hold communion with him against the mandate of the pope; but, on the contrary, if any sentence was past against him or his territories, they would strictly observe it.* The truth of this may, perhaps, be doubted; but it is certain that Henry had reason to expect a great disturbance in his foreign dominions; and his apprehension of it obliged him to act with less dignity than, as king of England, he might or would have acted. On the other hand, he had hopes of great advantages from the accidents time might produce. The death of Alexander was a contingency, which, from the age of that pontiff, he might reasonably presume would not be distant; and he thought himself sure, that the removal of Becket from Canterbury, if not a confirmation of all the dignities and customs of his realm, would be easily granted, to purchase his acknowledgement of any other pope. He therefore had tried, by every art of delay, to avoid the necessity of a speedy agreement; and, as he now saw that he could use those evasions no longer, but must immediately make peace with Becket, or war with the pope, he chose the first, as the least evil. Such a conduct indeed was very conformable to the whole course

V. Epist. 166.
h. i.

course of his policy, which always inclined BOOK III.
 him to temporize, and wait for the proper A. D. 1179.
 seasons to act with advantage. But one may
 venture to affirm, that, if the archbishop had
 been in his situation, and he in the archbishop's,
 this affair would have concluded in a different
 manner. The intrepid spirit of Becket would
 have braved the thunders of the Vatican; he
 would have hazarded, he would even have
 lost, all his territories in France, rather than
 have submitted to grant a peace to his rebel
 subject, without having reduced him to an
 humble state of duty and obedience. But
 Henry pursued his own maxims; and, since
 Becket would not be satisfied without receiving
 from his mouth *the kiss of peace*, he promised V. Epist. 46.
 to give it: but the legates having proposed l. v.
 that their first meeting should be in the district
 of Chartres, where he had appointed the con-
 ference with the French king, he desired to
 defer that part of the ceremony till he should
 return into his own territories. The reason Fistepen.
 of this procrastination we learn from some
 words he said to the legates, when they press
 him to satisfy the archbishop in this as well
 as other demands. His answer was, "*In my*
 "*own territories I will kiss him, nay, his very*
 "*bands and feet, a thousand times: let him*
 "*only defer it now, that it may appear to be*
 "*done out of my grace and good will, and not*
 "*by constraint.*" To which Becket, with
 great difficulty, was brought to consent, and
 came to the conference, being persuaded, or
 rather

BOOK III. rather compelled to it, by his great friend and
A. D. 1170. protector, the archbishop of Sens, who was
 then legate in France. Two days were em-
 ployed in settling the differences between the
V. Epist. 46. two kings, of which an account has been given:
ut supra. but on the third day, which was the feast of
 St. Mary Magdalene, the archbishop of Can-
 terbury was admitted, in the above-mentioned
 meadow near Frettevalle, to the presence of
 Henry, who was attended by the earl of Blois,
 and many other princes, nobles, and bishops
 of France, as well as of his own territories,
 and by a great croud of spectators. But Louis
 was absent, that it might not be supposed he
 influenced Henry in this transaction; the latter
 being apprehensive, and not without reason,
 that his honour and the dignity of his crown
 might be hurt if such an opinion should prevail.

V. Epist. 45. I shall give the particulars of what was done
L. v. there from an account sent to the pope by
V. Appendix. Becket himself.

“ Upon the sight of your last letter (says
 “ that prelate to Alexander), in which you
 “ threaten his realm with an interdict, and
 “ his person with excommunication, the king
 “ of England immediately made peace with
 “ me, to the honour of God, and, as I hope,
 “ to the very great advantage of the church.
 “ *For he has not so much as presumed to men-*
 “ *tion the royal customs, which he was used to*
 “ *assert so pertinaciously.* He exacted no oath
 “ from me, nor from any of my friends. The
 “ possessions, which, on account of this dis-
 “ session

“ fension between us, he had taken away from BOOK III.
 “ the church of Canterbury, he granted to me, A. D. 1170.
 “ as they were set down in the writing drawn
 “ by myself: peace and a safe return he pro-
 “ mised to all, and *the kiss* to me, if I would
 “ absolutely insist upon his being compelled
 “ to it; *so that not only he appeared, in every*
 “ *point, to be conquered, but was even said to*
 “ *be perjured, by those who had heard him*
 “ *swear, that he would not give me that kiss*
 “ *upon our reconciliation.*”

After this arrogant, malignant, unchristian triumph over his sovereign, which plainly shews what he meant in contending so obstinately for the trifling article of *the kiss*, the archbishop thus proceeds to relate to his Holiness the particulars of their meeting. “ I found the king
 “ so much changed, that, to the wonder of all
 “ present, his mind seemed not averse to peace-
 “ ful counsels. For, when he saw me at a
 “ distance coming towards him, hastily spring-
 “ ing out of the croud that surrounded him,
 “ he came to meet me, and, uncovering his
 “ head, prevented me, by eagerly breaking-out
 “ into words of salutation before me: then,
 “ after a short conversation, at which only I
 “ and the archbishop of Sens were present, he
 “ drew me aside, to the astonishment of all
 “ the assembly, and discoursed with me, a
 “ long time, in so familiar a manner, that one
 “ would have thought there had never been
 “ any discord between us.”

But

BOOK III.

A.D. 1170.

But, notwithstanding this affected graciousness, with which Henry received him, he tells the pope, “ he did not spare to reprove that monarch for his conduct, to shew him his danger, and to beg and admonish him, that, by making the church a publick satisfaction for the great injuries he had done her, he would clear his conscience, and redeem his reputation, in both which he had greatly suffered, though more from bad counsellors than his own inclinations.” And, finding that the king heard these offensive admonitions, not only with patience, but with benignity, and *promised amendment*, he added a long discourse upon the particular wrong done to the see of Canterbury in the coronation of the young king by the archbishop of York ; which, as it only contains what has already been mentioned, I shall not repeat, but refer those, who may incline to see it in Becket’s own words, to the letter itself, which they will find in the Appendix belonging to this book. He enforced his arguments with expostulations, “ why Henry would thus, without cognizance of the cause, dispoil his mother, the church of Canterbury, of her ancient right, which she was known to have possessed unshaken for above fourscore years ;” asking him, “ whether he had a mind to perpetuate enmity between the church and his children ? why, if he was in haste to have his son consecrated, he did not, at least, take care to exclude from the solemnity those whom he knew to have
“ been,

“ been, by name, excommunicated both by BOOK III.
 “ him and the pope?” In answer to these, and A.D. 1170.
 other questions of the same nature, Henry pleaded the mandate he had obtained of the pope, upon the death of the last archbishop of Canterbury, and produced it to him there, as if it had been the sole authority upon which he had acted, making no mention of that which had so lately been sent to the archbishop of York. Becket put him in mind “ that the
 “ former had been obtained by him, only for
 “ the sake of preventing the archbishop of York
 “ from crowning his son ; and that he often
 “ had publicly declared, in those days, *that*
 “ *he had rather his son should lose his head,*
 “ *than that this prelate should lay his heretical*
 “ *hands upon him.*” Why the archbishop of York was branded with heresy does not appear in this letter, nor any where else : but Henry might have received some prejudices against him, from ill offices done him by Becket, who then possessed the favour of that monarch ; which prejudices, I imagine, were now removed.

Becket added, “ that, even supposing the
 “ privilege the king had obtained did reach
 “ these times, yet still it was undeniable that it
 “ might be annulled by a subsequent mandate:
 “ wherefore, *his* being of a date posterior to
 “ that alledged by Henry, and contrary to it,
 “ no regard should have been paid to the au-
 “ thority of the former.”

The

BOOK III.

A.D. 1170.

The mandate here mentioned by this prelate to the king could not be the last which he had sent into England (for *that* had not been delivered); but must have been the more general one, obtained by him from Alexander some time before. This he supposed was sufficient to abrogate Henry's, not knowing that one of a later date had been sent to the archbishop of York, which as the king did not mention, we may conclude from his silence, that he was restrained from speaking of it to Becket by the particular desire and injunction of the pope.

In their discourse on this subject Becket ventured to throw out a plain intimation, that the coronation was invalid; affirming, "*that the king's consecration, like other sacraments, drew all its validity from the right of the person administering to do that office.* Nor think, continued he, I say this, because I desire that your son should be degraded; or any way lessened (for I ardently wish him success and increase of glory, and will labour to advance it by all *godly* means), but to the end that you may remove from yourself and from him the wrath of God, and of those saints who rest in the church of Canterbury, and have been grievously injured by this proceeding; which I do not believe can be done by any other means than making a full satisfaction; since it is a thing unheard-of for many ages, that any one has injured the church of Canterbury without being

" corrected,

V. Epist. 45.
L v.

"corrected, or crushed, by our Lord Jesus BOOK III.
 "Christ." The king answered, with an air A. D. 1170.
 of great satisfaction, "if you love my son,
 "you do what you are bound to do by a double
 "tie: first, because I gave him to you as a
 "son; and, you may remember, you received
 "him from my own hand: next, because he
 "loves you with so much fondness, that he
 "cannot bear even to look upon any of your
 "enemies. For he would have restrained
 "them already from doing you any harm,
 "if he had not been checked by the reverence
 "and fear of my name. But I know that he
 "will revenge you of them, even more than
 "he ought, as soon as time and opportunity
 "shall give him power so to do. Nor have I
 "any doubt that the church of Canterbury
 "is the most noble of all the western churches;
 "nor do I desire to deprive it of its right;
 "but will rather take care, according to your
 "advice, that it shall have redress in this
 "article, and recover its pristine dignity in
 "every point. *But to those who have hitherto*
 "*betrayed both you and me, I will, by the*
 " *blessing of God, make such an answer as the*
 "*deserts of traitors require.*" At which
 words Becket immediately descended from his
 horse (for both Henry and he were on horse-
 back) and threw himself at the king's feet;
 who ordered him to remount, *holding himself*
the stirrup for him, and said, with tears in his
 eyes, "My lord archbishop, what occasion is
 "there for many words? let us now mutually
 .. VOL. IV. Y "restore

BOOK III.

A. D. 1170.

“ restore to each other our former affection,
 “ and do one another all the good we can,
 “ entirely forgetting the late discord between
 “ us. But I desire that you would honour
 “ me in the presence of those who are looking
 “ upon us at a distance.” He then returned
 to the assembly, where, casting his eyes on some
 enemies of Becket, he said aloud, “ if, when
 “ I find the archbishop full of all good dispo-
 “ sitions to me, I were not reciprocally good
 “ to him, I should be the worst of men, and
 “ prove the evil that is spoken of me to be
 “ true. Nor can I think any counsel more
 “ honourable or useful to me, than that I should
 “ endeavour to go before him in kindness, and
 “ excel him in charity, as well as in benefits.”
 Which speech was received, by almost all who
 were present, with the highest gratulation.
 And had the king gone no further, than to
 declare a forgiveness and oblivion of all past
 offences, or even to sooth the pride of Becket
 by words and actions of grace and condescen-
 sion, without any gross flattery, or indecent
 humiliations, he would have acted a prudent,
 and perhaps, in that situation, a laudable part.
 For, as he thought it necessary to be reconciled
 to him, it was better to endeavour to gain him
 by kindness, and quiet that spirit he could not
 bend, than to exasperate him more by publick
 marks of aversion. But in some parts of his
 discourse and behaviour he exceeded all the
 bounds of good sense or true policy; especially
 in calling those, who had faithfully served him
 against

against the rebellious archbishop, by the odious name of *traitors*, and promising to treat them *as such*; if this part of Becket's narrative deserves any credit. The thing is very improbable: and, as he says this conversation was *apart from the company*, it rests only upon the evidence of his own word. I incline to suppose that something may have really been said by Henry, which approached to the purport of what he thus relates; because no reason appears why he should desire to impose upon the pope as to the *substance* of what passed on this occasion; but in repeating the *words* he might tincture the expression with his own passions, and give a force and acrimony to it beyond the truth. Yet, even upon this supposition, the king was much to blame. He ought not to have uttered a syllable which could give the archbishop even the slightest pretence to make such a report. It dishonoured his character: it was false; it was mean; it answered no good purpose. But men of strong passions and high minds, who are forced to dissemble, are very apt to overact the part they assume; and it seems that Henry did so, most extravagantly, in this conversation.

Soon after he and Becket were returned to the assembly, he sent his bishops, to acquaint him, that he would have him make his petition before them all. Some of them advised him to throw himself and the cause of the church wholly upon the king's pleasure. But this he rejected as the iniquitous counsel of Scribes and Pharisees;

BOOK III.

A. D. 1170.

V. Epist. 43.
ut supra.

BOOK III. *Pharisees*; and having withdrawn for some time, in order to consult thereupon the archbishop of Sens and the companions of his exile, he was confirmed in his intention, *by no means to submit to the king's judgement the question about the royal customs, or what had been wrongfully taken from the see of Canterbury, or the complaint of the usurpation upon the rights of that see in the young king's coronation, or the damage the church had suffered in her liberty, and be in his honour.*

V. Epist. 45.
ut suprà.

Pursuant to this resolution he went back to the assembly, and, not by himself, as he ought in decency to have done, but by the mouth of the archbishop of Sens, petitioned the king to restore to him his royal favour, peace and security to him and his, with the church of Canterbury, and the possessions belonging to it as set down in the writing the king had seen. He further requested, that the king would be mercifully pleased to amend what had been presumptuously done against him and his church in the young king's coronation, promising him love, and honour, *and whatever service could be performed in the Lord, by an archbishop, to his sovereign.*

This petition was very different from that form of words which had been settled between the king and the pope, and in which Becket had no authority to make any change. But, being encouraged by the great kindness with which the king had received him, he ventured to obtrude on that prince another form,

form, varying but little in the expressions from BOOK III
 that which he had himself proposed the year A. D. 1170.
 before at Montmartre, and which Henry had
 then rejected. This would have authorised
 the king to break with him, had he been in
 a situation to take such a step: but, after the
 extraordinary marks of favour so publicly
 given to Becket, he rightly judged, that he
 had gone too far to go back, and therefore,
 without objecting to the words of it, granted
 the petition. He likewise received into grace
 all the archbishop's friends and companions in V. Epist. 46.
 exile, who had been brought thither for that l. v.
 purpose.

It was natural to think that these excessive
 condescensions would have had some effect;
 but they were not sufficient to satisfy the arch-
 bishop, or soften his mind. In writing to
 Alexander on this subject, he told him, "that,
 "because his Holiness had not enjoined a
 "full restitution of what had been taken away V. Epist. 45.
 "from him or his friends, *that demand was* l. v.
 "*indeed delayed, but not given up, for he was*
 "*resolved to insist on it;* and, if his Holiness
 "had enjoined it with the same vigour as the
 "rest, the king would, unquestionably, have
 "made satisfaction, and have given an ex-
 "ample to posterity of perpetual advantage
 "to the whole church of God, and chiefly
 "to the apostolical see." By *full restitution*
 he meant a *compensation for losses*, as well as
 the restoring of benefices and lands: for the
 latter had been enjoined in the form prescribed

BOOK III. by the pope, and strongly insisted upon in the instructions sent to the legates; nor did Henry A. D. 1170. cavil about it. On the contrary, it appears, V. Epist. 34. that, without having received any further injunctions on that point, he sent over letters patent to the young king his son, notifying to him the peace he had made with the archbishop of Canterbury, and commanding *that this prelate, and all they who had been banished on his account, should have their possessions restored to them, as they had enjoyed them three months before he went out of England.* But Becket wanted to obtain a full reparation for all the profits consumed, and damages done, during the time of their banishment; though, as the pope had prohibited the clogging of the treaty with this condition, he durst not insert it in his petition to the king. Indeed such a demand was very inconsistent with the desire shewn by that pontiff of restoring union and quiet to the church and kingdom, by at least a temporary oblivion of offences on both sides; nor was there any probability that it would have been granted, without a violent contest, which the policy of Rome in that conjuncture was unwilling to risk.

V. Epist. 43. After the ceremony of their meeting was over, Henry kept the archbishop in familiar discourse till late in the evening; and at parting they agreed, that, when the king left that place, he also should go from thence, to take leave of Louis; and then return into Normandy,

mandy, to make some abode in the court and near the king's person, *that it might be apparent to all, into what familiarity and favour that prince had received him.* When he was going away, the bishop of Lisieux, in the presence of the whole court and of Henry himself, earnestly exhorted him, *that, as the king had now received his friends into favour, he should in like manner receive all the servants of the king, who were present there.* But he found a distinction to elude this proposal, saying, "that those the bishop interceded for were in various circumstances, more or less guilty, some excommunicated, others not, some for one cause, some for another, several by him and their own pastors, others by the pope himself, who, without an authority given by his Holiness, could not be absolved. Therefore he could not indiscriminately confound them together; but, having sentiments of peace and charity for them all, as much as in him lay, he would, by the divine assistance, so manage the matter, to the honour of the church of God, the king's, and his own, as also to the salvation of those for whom this reconciliation was asked, that, if any one of them (which he prayed might not happen) should fail of reconciliation and peace, he must impute it to himself, not to him. He threw in likewise, that he desired to hear the king's advice upon this point before he proceeded." To which evasive answer (which is indeed a master-piece in its kind) the archdeacon of Canterbury,

BOOK III. who was one of the excommunicated persons; making an angry and contemptuous reply, the king, for fear of a quarrel, *drew off the archbishop*, and with great civility sent him home.

A. D. 1170.

V. Epist. 48.
l. v.

This is the substance of what Becket wrote to the pope on the peace he had made with the king, which (to use an expression of his in another letter on the same subject) *he hoped would turn out to the advantage of the church, and the enlarging of the authority of the apostolical see in England*. But Henry did not intend that his triumph over the government should be so great as he thought. Though the royal customs were not *confirmed* by this treaty, they were not *given up*. The king had been very cautious to admit of no words which the pope himself could interpret into a promise; or engagement, that he would annul them; nor can I discover the least evidence, that he was not as much determined to maintain them as before his agreement with Becket. That agreement was therefore no decision of the dispute concerning these customs: but Becket hoped that the terror of excommunication, which had forced the king to allow him to return to his see without any assurance that he would obey the constitutions of Clarendon, would also protect him from any consequences of that monarch's displeasure on account of his disobedience; especially being now the pope's legate in England, which he thought would secure his person in all events. Nor did he mean to leave the controversy he had begun with the crown

V. Epist. 49.
l. v.

crown on the foot it stood at this time. In a BOOK III.
A. D. 1170.
letter he wrote to the bishop of Ostia on this occasion, he tells that prelate, who had served him in all his affairs at Rome, “ that the peace which, through his means, he had obtained from *the father of mercies*, was such as the world could not have given, or hoped for; *but yet the whole substance of it consisted only in hope*. Nevertheless he trusted in God that something real would follow, and *that he who made it would complete his work*.”

It is worthy of notice, that, among other friends in Alexander's court, Becket wrote to V. Epist. 50.
William of Pavia, who, a little before he left l. v.
France, had, by the mediation of Louis, whose V. Epist. 57.
81. l. iii. 26.
favour he had recovered, been reconciled also to l. iv.
that prelate, and in making this peace had done him some services, with which it seems he was well pleased. For he was now as immoderate in his acknowledgements as he had formerly been in his complaints. He told the cardinal,
“ it was just, that the church of Canterbury, V. Epist. 50.
“ which his care and diligent toil, with that of ut supra.
“ a few other friends, had brought at length
“ into port, should make him and them, on
“ account of that obligation, the most grate-
“ ful returns of service and devotion. For
“ *her* (says he) *you past the seas, penetrated*
“ *and surmounted the Alps, fought with beasts*
“ *in this country; and in the court of Rome*
“ *itself, where we were most strongly and sharp-*
“ *ly attacked, you have often and long endured*
“ *the burthen and beat of the day; and at last*
“ (because

BOOK III. “ *(because your labour was in the Lord) you*
A. D. 1170. “ *have wisely and usefully triumphed.*”

One should hardly imagine that this letter could be written to the same man, at whose behaviour in his legation Becket had often expressed the utmost disgust! Nor yet had he really altered his opinion about that behaviour. For, in a letter he wrote not long before, and where he spoke the undissembled sense of his heart, we find him affirming, “ that, of all

V. Epist. 21. “ *whom the see of Rome had sent to the king of*
L. v. “ *England for the cause of the church, Gratian*
 “ *alone had done her no injury.*”

Benedictus
abbas.
Hoveden, sub
ann. 1170.

Henry was now returned into Normandy, where he was seized with an illness so violent, that thinking himself in danger he made his will, by which he left to Prince Henry, his eldest son, the dutchy of Normandy and the earldom of Touraine, besides Anjou and Maine, which had been ceded to him by the late treaty of Montmirail, that he might have his paternal inheritance entire and compleat. The kingdom of England had, in effect, been settled upon him before, by his being crowned king; but that designation was also confirmed by this testament; and so was the cession made of the dutchy of Aquitaine and all its appurtenances, by the above-mentioned treaty, to Richard, his brother. It cannot be properly said that Henry gave, or bequeathed, Bretagne to Prince Geoffry: for to *him* it belonged, by his marriage with the heiress of it, and not to his father,

ther, who had no pretensions to any part of it, **BOOK III.**
except the earldom of Nantez, which, when **A. D. 1170.**
he contracted his son to Conan's daughter, he
immediately reannexed to the ducal demesne.
Nevertheless, from the words of some contem-
porary historians, it seems that by his will he
recognized and confirmed the settlement made
by that contract. To John his fourth son, **Benedict. ab-**
who was at this time a young child, he did **bas, p. 6.**
not give any territory, or portion in money, **sub ann. 1170.**
but recommended his fortune to the affection
and care of his eldest brother. When he had
thus settled his affairs, he desired to be buried
in the monastery of Grammont, for which he
had a particular and superstitious veneration,
at the feet of one of their abbots, who was
there interred. His bishops and nobles very
properly objected against it, as debasing the
royal dignity; but he insisted upon it, and
produced to them a written promise, which he
had obtained of the monks for the performance
of his will in this respect. I mention this
circumstance, because it is what one should
hardly have supposed in the spirited antagonist
of Becket and Rome. But it was very dif-
ficult, in those times, to separate a sincere be-
lief of religion from the superstitions mixed
with it; and some other weaknesses of a like
nature shew, that Henry's understanding, how-
ever acute in other points, could not always
distinguish the genuine truths of the Christian
faith from that impure mixture. His illness
did not prove mortal; and the same false reli-
gious

BOOK III.

A. D. 1170.

gious notions made him ascribe his recovery to the protection of *St. Mary of Roque-Madour in the Quercy*, whom he had invoked in his danger, and addressed to her a vow, that, if his health was restored, he would go in pilgrimage to her shrine ; which, as soon as he found himself able to bear the journey, he piously performed. Yet this devotion did not incline him to more complaisance in his dispute with the church and the archbishop of Canterbury. Though he desired, after his decease, to lye at the feet of a dead monk, he would not submit, in his life-time, to the insolence of an arrogant prelate.

The execution of the peace he had granted to Becket had now been delayed above two months. His illness was the pretence ; but the true reason was his anger at Becket's behaviour, and the instigations of those who thought their credit and interest sacrificed in the peace, as well as the honour and dignity of the crown. Hence he naturally sought for any excuses, to avoid performing a treaty, which he had made with reluctance, and reflected upon with shame. When Becket's messengers came into England with the letters written in his favour from the king to his son, they were avoided by most men, as persons with whom it was dangerous to hold conversation. Nay, his best friends in that kingdom were so strongly persuaded of Henry's irreconcilable enmity to him, that they could hardly be convinced of his peace being made, even by the sight of the letters patent.

patent. Many of them sent their advice to him, BOOK III.
A. D. 1170. not to come thither, upon any account, till he had found means to ingratiate himself more with the king, and had obtained from him a sincere reconciliation. Whereupon he wrote V. Epist. 54.
l. v. to that monarch a submissive and decent letter, complaining of some delays, which he supposed were affected, in making the restitution agreed to be made, and, more particularly, of the insolence of Ranulph de Broc, who had publickly said, *that Becket should not eat a whole loaf in England before he took away his life.* The archbishop had also notice, from some of his correspondents, that the same man had, since the conclusion of the peace, committed great waste on the lands of the see of Canterbury, which were in his custody, and even at this time, in direct contempt of the orders sent by the king, laid up the produce of them in his own castle. To put a stop to these proceedings, Becket desired of Henry, that he would permit him to go immediately over to England. “By your grace and permission (said that prelate to the king) I will now return to my church, *perhaps to perish for her*, unless your piety deigns to afford us a further and speedy consolation. But, *whether I live or die, yours* V. Epist. 52.
l. v. *I am, and will be, in the Lord; and, whatever becomes of me and mine, may God bless you and your children!*” One would think that he really apprehended some danger: for he expressed the same fears in a private letter to the

the

BOOK III

A. D. 1170.

the pope. His words are very remarkable:
 "I believe I shall go into England, *whether*
to peace or to punishment I am doubtful;
 "but the divine providence has ordained what
 "shall be my lot. *I therefore commend my*
soul to you, O holy father; returning thanks
 "to you, and the apostolick see, for all the
 "comforts you have administered to me and
 "mine in our distress."

V. Epist. 65,
 66, 67. l. v.

He had indeed at this time great reason to thank the pope. For letters had been sent to him from his Holiness, by which that pontiff suspended the archbishop of York, the bishop of Durham, and all the suffragan bishops under the see of Canterbury, who had been present at the coronation of the young king. He also charged them with having suffered that prince to omit the usual oath of the English kings for the protection of the church, and with having themselves, on that occasion, taken one to maintain the constitutions of Clarendon; for the exacting of which he very angrily complained of the king. And the bishops of London and Salisbury having made (as he expressed it) an ungrateful return for the favour he had shewn them in taking off their excommunication, he put them again under that sentence, and gave Becket power to proceed as he pleased against the bishop of Rochester, *because that prelate, as vicar to the archbishop of Canterbury, ought to have been particularly careful of supporting his rights.* These letters were dated in September of this year,

year, eleven hundred and seventy; and were probably drawn from Alexander, by complaints sent to him from France of the injury done to Becket in the affair of the coronation, particularly from the archbishop of Sens, who, with great freedom of language, reproached his Holiness on that subject. But, as for the charge brought against the English prelates above-mentioned, of having allowed the young prince, at his coronation, to omit the usual oath, and having then taken one to support the royal customs, it was absolutely groundless. Probably Becket, deceived by some false report, had led the pope into this error. And though, when these letters came to him, he was better informed, he had not candour enough to own his mistake; but said, in his answer, "*they were undoubtedly dictated by the Holy Ghost, and corrected the king's enormities with an authority becoming the successor of Peter and the vicar of Christ.*" Nevertheless he thought it adviseable not to make use of them, for fear of offending the king, and disturbing the peace concluded with that prince. Wherefore he humbly entreated the pope to send him others, "*in which there should be no mention made of the faults of the king, or of the oath to observe the royal customs, or of the omission of that for securing the church at the young king's coronation; but the same sentence of suspension inflicted on the archbishop of York, and the other bishops there present, singly on account of the injury done*"

BOOK III.

A. D. 1170.

V. Epist. 25.

l. v.

V. Epist. 77.

l. v.

V. Epist. 52.

l. v.

BOOK III. "*to the rights of the see of Canterbury.*"

A. D. 1170.

V. Epist. 52.
L. v.

And, with relation to the bishops of London and Salisbury, he made it his request, *that he might be permitted to have mercy upon them, if they could not be punished, according to the mandate sent by his Holiness, without occasioning a schism in the church.* On which account he desired a discretionary power to excommunicate them, or not, as the times and the exigence of his cause should require; and likewise to suspend or spare the other prelates, except the archbishop of York, who being (as he said) *the incendiary and the head of all those wicked persons,* he prayed his Holiness to reserve him to his own judgement. In truth, as that prelate was actually legate for Scotland, he could not be subjected to the legatine power committed to Becket. But the latter most artfully took this opportunity to advance the dignity of his see, by desiring the pope to determine the dispute between Canterbury and York concerning the primacy, which had been left undecided by the see of Rome, in favour of Canterbury, without appeal; *not (as he told his Holiness) for his own glory, but for the peace of the church and prevention of schism.* He likewise asked the same power that his Holiness had conferred on the archbishop of Rouen and the bishop of Nevers, *or even a greater (by which he meant a permission to excommunicate Henry, as well as to lay his dominions under an interdict); because (says he) the more potent, and the more*
fierce

fierce that prince is, the stronger chain and the harder stick will be necessary, to bind and keep him in order. BOOK III.
A. D. 1170.

Before any answer to this letter arrived from the pope, he went to wait on the king, who received him with a great deal of formal civility, but not with that air of cordiality and reviving affection which he had shewn him in their meeting at Montmirail. Nor did he give him *the kiss of peace*, as, according to his late promise, he ought to have done, being now in his own dominions. Nevertheless he was accompanied by him in a journey to the borders of Touraine, where he had appointed to meet the earl of Blois, for the adjusting of some disputes between them; and, as they rode together, the archbishop sharply expostulated with him upon the breach of his word; which he returned by reproaching that prelate with ingratitude. The conversation was stopt by the interview with the earl; and Becket took on himself to act the part of a mediator, in which he succeeded, both parties being inclined to an accommodation. When that business was over, he renewed his complaints of the king's insincerity; and, the earl interposing in his favour, Henry repeated his promise of full restitution, but said, "that, before he performed it, he would have him return into England, *that he might see how he would behave himself in the affairs of the kingdom.*" This was a new condition annexed to the promise, and a very disagreeable one

BOOK III.

A. D. 1170.

to Becket : yet he made no reply ; nor did he return back with Henry : but not long afterwards he paid him another visit at Caumont, a town near Blois ; where, as he did not importune him with any demands, but seemed to have come only to make his court, he was received with more kindness ; and in a familiar discourse Henry said to him eagerly, “ *Oh ! my lord, why will you not do what I desire ? I then should put every thing into your hands.*” This Becket repeated to one of his correspondents ; and told him, it brought to his remembrance the words of the Devil to our Saviour, “ *All this will I give thee, if thou wilt fall down and worship me.*” He thought it more proper *that the king should fall down and worship him* ; to which as that monarch would not yield, it was impossible any lasting peace should be made, unless by the ruin of the one or the other. About the end of October the archbishop returned to Sens, intending to see Henry once more at Rouën, upon a day appointed between them, and then go into England.

In the mean while the pope, hearing from France that the agreement, concluded in July, was not yet executed on the side of the king, wrote to his legates, the archbishops of Rouën and Sens, to go within twenty days after the receipt of this letter, dated the ninth of October, and admonish him *in effect to accomplish the peace he had made only in words* : which if,

V. Epist. 31.
L. v.

if, in thirty days from the time of his receiving ^{BOOK III.} this admonition, he did not perform, they were ^{A. D. 1170.} ordered to put all his dominions on the continent under an interdict. They were also instructed to *suggest* to him, *that he should soon afterwards make restitution and reparation in full for all damages, and entirely abolish his evil and execrable constitutions.* But it does not appear that these last articles were in-joined under the same penalty, or were more than a bare exhortation. His Holiness also ^{V. Epist. 32; l. v.} wrote a general mandate to all the bishops in Henry's dominions on the continent, to observe the sentence which he had commanded the legates to pronounce, and take care of its execution. But before the term was expired when this admonition was to be delivered to the king (perhaps upon notice having been given him of it), the treaty was executed in its principal parts. The delay had been really no less hurtful to Henry, than vexatious to Becket: for the former being forced to yield at last, the reluctance he had shewn made the dishonour brought upon him more apparent to the world.

In the mean time the letters, which Becket ^{V. Epist. 68, 69. l. v.} had asked of the pope, were granted by his Holiness, without the mistakes that had been made in the former; and in some particulars such as he had desired. For, with regard to the bishops of London and Salisbury, two different mandates were sent, which he was to use at discretion; one, by which they were

BOOK III.

A. D. 1170.

excommunicated, and another, by which they were only suspended, on account of their having assisted at the young king's coronation *against the pope's prohibition, and in prejudice to the archbishop of Canterbury's claim.* Yet in these letters that claim is so modestly set forth, that the antiquity of it is carried no higher than the coronations of Stephen and Henry the Second, "*which (to use the words of the pope) had given to that church a kind of possession of the dignity now in question.*" Whoever considers the temporal consequences of excommunication in those days (not to mention the spiritual), will be astonished to see it thus inflicted on bishops, for no worse offence than the having acted against a claim to a privilege which had no stronger foundation than *a kind of possession.* But it must have appeared still more wonderful to those prelates, who knew that Alexander himself had enjoined this act to be done, in contempt of that claim, and had declared expressly that the right belonged to another. Even supposing they had seen his subsequent order revoking the former (which in truth they had not), it was an intolerable insolence to oblige them to follow every change of his mind, on pain of being cut off from the body of the church.

In both these letters a power was given to Becket, to take off the sentence, either of excommunication or suspension, if he should think fit. A mandate was also sent to him which suspended the archbishop of York; but the power

power of relaxing that sentence the pope reserved to himself. Becket had asked for another, to suspend all the bishops who had been present at the late coronation : but his Holiness did not think it adviseable at this time to grant that request ; nor would he give him the authority, which he had desired, to excommunicate Henry, nor decide the dispute upon the primacy of his see against that of York. He seems to have been driven against his will to go so far as he did, by the apprehension of disgusting the king of France. Perhaps too he might believe, that the archbishop himself, in his present situation, would not be inclined to make the most rigorous use of his discretionary power, with respect to the bishops of London and Salisbury ; as he had, in his last letter, expressed a just sense of the expediency of healing and moderating measures, *that he might not offend the king, and disturb the peace so lately made.* But this prudent consideration gave way in his mind to the violence of resentment. He was informed, that those prelates had endeavoured, in conjunction with the archbishop of York, to persuade the king, that the reconciliation concluded with him was neither useful nor honourable to the kingdom, unless the presentations to benefices which belonged to the see of Canterbury, made by that prince upon vacancies while he was in exile, might remain good ; and *unless he was compelled to obey the royal customs, which he had disputed.* He also imputed to *them* a design

V. Epist. 52.
l. v.

BOOK III. the king had entertained, of filling up the
 A. D. 1170. vacant bishopricks, by calling over six clergy-
 V. Epist. 53. men out of each of those dioceses to attend
 64. 73. l. v. him in France, and there, as delegates from
 their brethren, to elect their bishops in his
 presence, with the advice of the above-men-
 tioned prelates. This was considered by Bec-
 ket as *uncanonical*, and contrived by them with
 an intention to occasion a new quarrel between
 Henry and him, if he should refuse to con-
 secrate the bishops so chosen. These pro-
 vocations so incensed him, that he paid no
 regard either to what he himself had written
 to the pope, or to the wise counsels given
 to him by two of his friends in the college
 of cardinals, who, in their letters of congratu-
 lation upon the peace he had gained, advised
 V. Epist. 60. him with urgent admonitions, *to exercise mercy,*
 62. l. v. *rather than judgment, towards those who had*
 V. Epist. 66. *sinned against him; and to endeavour to instruct*
 66. 62. l. v. *the king in the spirit of lenity, and recover his*
favour. Notwithstanding these exhortations,
 he determined to suspend the archbishop of
 York, and excommunicate the two bishops
 of London and Salisbury. When he took
 this resolution, he should, in common pru-
 dence, have also resolved to defer his return
 into England, and not have joined his accep-
 tance of the peace given by the king to him
 and his friends with these discordant acts of
 hostility: but, whether he sincerely thought
 it his duty to go back to his church, or felt
 a pride in braving his sovereign within his
 own

own kingdom, he continued his purpose of ^{BOOK III.} quitting his asylum in France; though at the ^{A. D. 1170.} same time he determined to act in a manner that would bring him again into danger. If we may believe one of the monks who has ^{V. Stephen.} written his life, he said to the king of France, ^{P. 69.} when he took his leave of that monarch, *that he was going into England, to play for his head.*

The appointment Henry had made to see ^{V. Epist. 44.} him at Rouen was put off by a letter under ^{h. v.} the hand of that prince; in which he said, “ he was prevented from meeting him there, “ by the necessity of going into Auvergne, to “ resist an attempt which, as he was credibly “ informed, Louis intended to make upon that “ province. But he had sent John of Oxford “ to attend him to England, by whom he “ signified to the king his son, *that he would “ have him enjoy all his possessions peaceably and “ honourably: and if, in any particulars relating to him less than ought to have been done “ had been performed, that prince should cause “ it to be amended.*” The promise was fair, but attended with circumstances very mortifying to Becket. No money was given him ^{V. Fitzstephen in vita Becket.} to pay his debts, as he had been made to expect; and, instead of the archbishop of Rouen, who he hoped would have been charged to conduct him to England, that office was assigned to John of Oxford, whom of all Henry’s servants he most detested. But, as the king’s orders

BOOK III.

A. D. 1170.

V. Quadrigum.

V. Epist. 73.
† v.

were pressing, that he should go to his church, and he had resolved to do so for other reasons, he was forced to submit to this affront; and set out under the conduct of his worst enemy, who had presided in that very parliament which had tried and condemned him for perjury and treason, who had procured the first suspension of his legatine power, who had been excommunicated by him, and absolved without his consent; who now seemed to accompany him, rather as a guard over a prisoner, than as an attendant appointed to do him service. Being arrived at the port of Whitsand in Flanders, he staid there some days for a favourable wind, and during that time was warned, by a private messenger from the Earl of Boulogne, *to take care of himself: for there were persons waiting for him in those parts of England where it was thought he would land, with an intention to murder, or at least to arrest him.* The answer he sent back was, *that he would return to his flock, if he were certain to be torn limb from limb.* He only desired of his friends, *that they would carry him dead to his church, if he was not permitted to go to it alive.* Other intelligence was also conveyed to him, that his enemy Ranulf de Broc, Reginald de Warenne, and Gervase de Cornhill sheriff of Kent, had publicly threatened, that, if he came into England, *they would cut off his head.* But, upon further enquiry, he was satisfied that they meant him no other harm, than the searching of his baggage, and taking from him the letters which

which they very rightly suspected he had obtained from the pope. To this they were instigated by the archbishop of York and the bishops of London and Salisbury, as Becket asserts in a letter to Alexander. It does not appear that they had any particular warrant to make this search: but, there having been for some time a general order strictly to examine all churchmen who landed in England, they thought they might be justified in treating him with no more respect than others, not considering his high dignity, and the king's reconciliation with him and the pope.

BOOK III.

A. D. 1170.

V. Epist.
prædict.

As he was aware of their purpose, he found means, the day before he embarked, to send the letters he had with him into England by other hands. That for suspending the archbishop of York he gave to a nun, whom he encouraged to undertake the dangerous enterprise of delivering it to that prelate, by setting before her the examples of Judith, Esther, and those women who, when his apostles forsook him, followed our Lord to his cross and to his sepulchre. The letter he wrote to her on this subject is preserved; and I have transcribed it in the Appendix to this book, that it may be seen by what arts he worked upon the simplicity of a credulous woman, to make her expose herself to the penalties of the law, in order to gratify his revenge in a matter which evidently had nothing to do with religion. These are the words with which he concludes his pastoral exhortations:

V. Epist. 70.
l. v.
V. Append.

BOOK III. exhortations: "A great reward, my daughter,
A. D. 1170. "is proposed to your labour, *the remission of*
 "your sins, the unfading fruit, and crown of
 "glory, which the *blessed sinners* Mary Mag-
 "dalene, and Mary the *Ægyptian*, at last re-
 "ceived from our Lord Jesus Christ; the
 "stains of all their former lives being wiped
 "out. *The mistress of mercy* will assist you,
 "and ask her son, God and Man, whom she
 "brought forth for the salvation of the world,
 "to be the leader, companion, and protector
 "of your journey. And may he, who, break-
 "ing the gates of Hell, crushed the power of
 "the Devils, and restrained their licentious-
 "ness, hold the hands of the wicked, that they
 "may not be able to do you any hurt! Fare-
 "well, *spouse of Christ*; and think that he is
 "always present with you." This powerful
 rhetoric had the desired effect. The nun,
 who (as we may judge by the turn of this
 letter) had not always been chaste, resolved to
 gain *the remission of her sins*, at any risque, and
 delivered the letter as she was directed to do.
 What other instruments were employed we
 are not told; but the bishops of London and
 Salisbury received the pope's mandate, which
 excommunicated them, about the same time as
 this was given to the archbishop of York.

After Becket had thus disposed of these dan-
 gerous papers, he ventured to face the king's
 officers, and on the first of December passed
 the channel. As soon as the ship arrived in
 Sandwich

Sandwich harbour, the sheriff of Kent, with ^{BOOK III.} Reginald de Warenne and Ranulf de Broc, ^{A. D. 1170.} came armed, and accompanied by a band of soldiers, to the shore: but John of Oxford immediately advancing to meet them, and with much anger commanding them, in the name of the king, to do no manner of injury to the archbishop or any of his followers, *because it* ^{V. Epist. 73.} *would highly dishonour the king, after the peace he had made,* they did not so much as attempt to make any search. But there being a foreigner, the archdeacon of Sens, in Becket's train, they demanded of him an oath of allegiance to King Henry and his son (I suppose during the time he should stay in the country); but Becket forbade him to take it, not because it was required without warrant of law, but because (as he told the pope) *there was not in the oath any exception express in favour of the papal authority or any other*; and he was afraid, if one of his household should consent to such an engagement, that, by the authority of the precedent, the clergy of the kingdom might be also compelled to it, *which would greatly tend to the prejudice and diminution of the apostolick see.* In short, he wanted the reservation of *salvo ordine suo, or salvâ libertate ecclesiæ*, to be in every oath that was taken by clergymen. He says himself, in his letter to Alexander, that the king's officers were obliged to yield the point, because they were too few to force him, having the people on his side, who were rejoiced at his return. Being thus dismissed,

BOOK III.

A. D. 1120.

V. Vitam Bec-
ket, præfix.
Epist. Bene-
dict. abb.
Hoveden.

V. Epist. 63.
l. v.

mist, he went to Canterbury, and on the road thither was met by all the poor of the country, who in great multitudes attended him into that city, spreading their cloaths in his way, and singing, *Blessed is he, who cometh in the name of the Lord.* His vanity was much pleased, and it seems that his piety was not at all offended, with this application of Scripture, which so blasphemously equalled him to the Messiah. The parish-priests also came in solemn procession to meet him, with their crosses in their hands; and the pageantry was closed by the monks of Canterbury, who received him into their convent with ringing of bells, with the musick of organs, and with hymns of praise to God. That he might not fail of this triumph, his secretary John of Salisbury had written from France, a month before, to give them notice of the time of his intended return, and exhort them *to meet him with all due honours, as their predecessors had met Saint Anselm, when he came back from banishment.* He was so elated with these extravagant and impious adulations, that he could not help boasting of them in his letter to the pope. *I was received, says he, with great devotion by the clergy and people.* But in so expressing himself he made a mistake which often proves of pernicious consequence; he mistook *the mob* for *the people*. Hence he fondly presumed upon a strength he had not, and nourished that insolence which brought on his destruction.

While

While these impressions of vain-glory were ^{BOOK III.} warm in his mind, there came to him messen- ^{A. D. 1170.} gers from the archbishop of York and the two ^{V. Epist. 64.} other bishops, who had received the letters he ^{l. v.} had procured from Alexander against them, notifying to him the appeal they had made to his Holiness from the sentence there past upon them. At the same time also came officers from the young king, who in the name of that prince commanded him to absolve the above-mentioned prelates, *because what was done against them was an injury to the king, and tended to the subversion of the laws of the kingdom*; promising, in case he obeyed this order, that the two bishops should come to him after they had received absolution, and willingly submit to the canons of the church, *saving the honour of the kingdom*. To which he replied, "It was not in the power of an inferior judge to release from the sentence of a superior, and that no man could abrogate what the apostolick see had decreed." But by the pope's ^{V. Epist. 73.} letters themselves it manifestly appeared, that it ^{ibid.} was in his power to release the two bishops of London and Salisbury, though not the archbishop of York, whom his Holiness singly reserved to his own judgement. The king's ^{V. Epist. 62,} officers insisting that he should perform it, and ^{69. l. v.} adding very high menaces of what would be done to him if he obstinately persisted in disobedience; he said at last, that, if the bishops of London and Salisbury would take an oath before him, according to the usual form of the

BOOK III. the church, to obey the pope's injunctions in
A. D. 1170. this affair, he would, for the peace of the church, and out of reverence to the king, with his advice, and with the advice of the bishop of Winchester and others of his brethren, venture to absolve them at his own peril. Which being reported to them, the archbishop of York objected, that such an oath ought not to be taken without leave of the king, by bishops especially, because it was against the dignity and the laws of the realm. To this Becket replied, that the same bishops had been before excommunicated by him, and were not then absolved without having taken an oath to the same effect: much less could they without it be delivered from a sentence imposed by the pope, *to which neither his, nor any other human authority, could be compared.* Hereupon they determined to take the oath he required: but the archbishop of York very earnestly dissuaded them from it, counselling them rather to go to Henry in France, and send messengers to his son, in order to shew him, that Becket, by these violent proceedings, was endeavouring *to tear the crown from his head.* Of which that prelate complained to Alexander, saying, "he called God to witness, that, instead of desiring to take this kingdom from the young man, he wished him more and greater, *if he would be serviceable to the church.*" But (omitting any observations upon the nature and latitude of *this condition*) it is certain the acts done by him had an appearance which

V. Epist. 64.
75. l. v.

which might reasonably alarm that prince. **BOOK III.**
 The two bishops, convinced by the archbishop **A. D. 1170.**
 of York, resolved to go immediately over to **V. Quadri-**
 Henry, and dispatch the archdeacon of Can-**gum.**
 terbury to his son. A few days afterwards,
 Becket sent a message to the latter excusing
 what he had done; but audience was denied
 to his messenger. He then resolved to go
 himself to the palace of Woodstock, where the
 young king resided, designing to make him a
 present of three fine horses. In his way, he
 passed through London, attended by some
 knights who held of the see of Canterbury,
 and a great train of other followers. His
 father and most of his family having been
 citizens, he was particularly popular there;
 so that he made his entrance into the capital
 with a vast mob at his heels, among whom
 were some citizens of a better condition than
 the rest, who were afterwards questioned for
 it; but the prosecution was let drop. He had **V. Stephan.**
 designed in like manner to go through his **P. 77.**
 whole province, and to exercise therein with
 the utmost severity both his metropolitan and
 legatine powers. But early the next morn-
 ing an order was sent from Woodstock to
 stop his progress, and forbid him to enter
 any of the king's cities or castles; com-
 manding that he should retire, with all who
 belonged to him, within the verge of his
 church. Which order he declared *he would* **V. Quadri-**
not have obeyed, thinking it his duty to visit
 every part of his province, if the feast of our
 Saviour's

BOOK III. Saviour's birth had not been so near, upon which solemn occasion he intended to officiate himself in his church. Having made this haughty answer, he went back to Canterbury, where he was visited by few persons of rank or consideration; and every thing seemed to threaten him with very ill consequences from the imprudence of his conduct. But amidst the fears of all his friends he alone was undaunted, either from confidence in the protection of the pope and his order, or from his natural intrepidity, or perhaps from the heat of an enthusiastical spirit, which desired to suffer martyrdom in what was accounted, by the zealots of those times, the cause of God. On Christmas-day he preached in the church of Canterbury; and at the end of his sermon told the congregation, that *his dissolution was near, and he quickly should depart from them.* At this many of them wept; when, suddenly changing his looks and voice, he vehemently inveighed against the vices of the age, and thundered out an anathema in general terms against almost all King Henry's court. Then lighting the candles, he by name excommunicated Ranulf de Broc, and Robert his brother, the latter of whom had been guilty of no other offence, than the having cut off the tail of one of his sumpter-horses the day before. But to his pride there could not be a more unpardonable sin than such an affront.

V. Epist. 64.
L. v.

V. Quadril.
Hoveden.

While he was thus preparing himself for that martyrdom which he said he expected,
the

the archbishop of York and the bishops of London and Salisbury had gone over to Normandy, and at the feet of the king implored his justice and clemency, for themselves, for his whole clergy, and for his kingdom. When he had heard their complaints, he was extremely incensed, and said, that, *if all who consented to his son's coronation were to be excommunicated; by the eyes of God, he himself should not be excepted.* The archbishop however entreated him to proceed with discretion and temper in this business. But not being able to master the violence of his passion, he broke out into furious expressions of anger, saying, "that a man whom he had raised from the dust trampled upon the whole kingdom, dishonored the whole royal family, had driven him and his children from the throne, and triumphed there unresisted; and, *that he was very unfortunate to have maintained so many cowardly and ungrateful men in his court, none of whom would revenge him of the injuries he sustained from one turbulent priest.*" Having thus vented his rage, he thought no more of what he had said; but, unhappily for him, his words were taken notice of, by some of those pests of a court, who are ready to catch at every occasion of serving the passions of a prince to the prejudice of his honor and interest. Four gentlemen of his bedchamber, knights and barons of the kingdom, Reginald Fitzurse, William de Tracey, Hugh de Moreville, and Richard Brito, making no difference

BOOK III.

A. D. 1170.

V. Edw.
Grime, Qua-
drilogum.

between a sally of anger, and a settled intention to command a wicked action, thought they should much oblige the king by murdering Becket. Nevertheless it appears, that they rather desired to induce that prelate, by threats and pretended orders from the king, to take off the censures which he had laid on the bishops; or, in case of his refusal, to carry him forcibly out of the kingdom: but if, from his resistance, they could not succeed in either of these purposes, they resolved, and even bound themselves by an execrable oath, to put him to death. Thus determined, they passed hastily over to England, without the king's knowledge, and went to a castle belonging to Ranulf de Broc, about six miles from Canterbury, where they staid all the night, in consultation with him and Robert his brother, by what methods they should execute their flagitious undertaking. Ranulf had under his orders a band of soldiers, who had been employed for some time in guarding the coast. They agreed to take along with them a number of these, sufficient to hinder the citizens of Canterbury, or any of the knights of Becket's household, from attempting to aid him; and on the following day, being the twenty-ninth of December in the year eleven hundred and seventy, they came to Canterbury, concealing their arms as much as was possible, and dividing their followers into many small parties, that they might give no alarm. Presently afterwards the four knights entered the palace unarmed; and a messenger

sage being sent by them to acquaint the archbishop, that they were come to speak with him on the part of the king their master, he admitted them into his chamber, where they found him in conversation with some of his clergy. They sat down before him without returning his salutation; and, after a long silence, Reginald Fitzurse said to him, "We bring you orders from the king. Will you hear them in publick, or in private?" Becket answered, "that should be as pleased them best." Fitzurse then desiring him to dismiss all his company, he bid them leave the room; but the porter kept the door open; and after the abovementioned gentleman had delivered a part of what he called the king's orders, Becket, fearing some violence from the rough manner in which he spoke, called in again all the clergy who were in the antichamber, and told the four knights, that whatever they had to inform him of might be said in their presence. Whereupon Fitzurse commanded him in the name of the king to release the excommunicated and suspended bishops. He said, the pope, not he, had past that sentence upon them, nor was it in his power to take it off. They replied, it was inflicted by his procurement. To which he boldly made answer, that if the pope had been pleased thus to revenge the injury done to the church, he confessed, *it did not displease him*. These words gave occasion to very bitter reproaches from the rage of Fitzurse. He charged the archbishop with

V. Epist. 76;
l. v. V. Edw.
Grime, Quindril. Hoveden. Gervasi.

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A. D. 1170.

having violated the reconciliation so lately concluded, and having formed a design *to tear the crown from the head of the young king*. Becket made answer, that *saving the honor of God, and his own soul*, he earnestly desired to place many more crowns upon the head of that prince, instead of taking this off, and loved him more tenderly than any other man could, except his royal father.

A vehement dispute then arose between Fitzurfe and him, about some words which he affirmed the king had spoken on the day when his peace was made, permitting him to obtain what reparation or justice he could from the pope, against those bishops who had invaded the rights of his see, and even promising to assist him therein; for the truth of which he appealed to Fitzurfe himself, as having been present. But that gentleman constantly denied that he had heard it, or any thing like it, and urged the great improbability that the king should have consented to give up his friends to Becket's revenge for what they did by his orders. And certainly, if it was true, one cannot but wonder, that the archbishop should not have mentioned it in any one of his letters, and particularly in the account which he wrote to the pope of all that passed on that day! The words he repeated there, as spoken by Henry, even admitting that they were given without any exaggeration, would not authorise the construction he now put upon them. But that he himself did not believe he had such a permission

V. Epist. 45.

l. v.

V. Append.

sion appears from the apprehensions he exprest **BOOK III.**
 to his Holiness, in a subsequent letter, of the ^{A. D. 1170.}
 offence that he should give to the king by these ^{V. Epist. 52.}
 acts, and from the extraordinary care he took to ^{l. v.}
 conceal his intention till after he had perform-
 ed it.

Their conversation concerning this matter ^{Vid. authores}
 being ended, the four knights declared to him, ^{citatos ut su-}
 it was the king's command, that he and all who ^{pra.}
 belonged to him should depart out of the
 kingdom: for that neither he nor his should
 any longer enjoy the peace he had broken.
 He replied, that he would never again put the
 sea between him and his church: adding, that
 it would not have been for the honor of the
 king to have sent such an order. They said,
 they would prove that they had brought it
 from the king, and urged, as a reason for it,
 Becket's having opprobriously cast out of the
 church, at the instigation of his own furious
 passions, the ministers and domestick servants
 of the king; whereas he ought to have left
 their examination and punishment to the royal
 justice. He answered with warmth, that if
 any man whatsoever presumed to infringe the
 laws of the holy Roman see, or the rights of
 the church of Christ, and did not voluntarily
 make satisfaction, he would not spare such an
 offender, nor delay any longer to pronounce
 ecclesiastical censures against him. They im-
 mediately rose up, and going nearer to him
 said, "*We give you notice that you have spoken*

BOOK III. "to the peril of your head." His answer was,
 A. D. 1170. "Are you come to kill me? I have committed
 V. Edw. "my cause to the supreme judge of all, and am
 Grime, Ger- "therefore unmoved at your threats. Nor are
 vafe, Quadri- "your fwords more ready to strike than my
 logum. "mind is to suffer martyrdom." At these
 words one of them turned to the ecclesiasticks
 there present, and in the name of the king
 commanded them to secure the person of Bec-
 ket; declaring, they should answer for him,
 if he escaped. Which being heard by him,
 he asked the knights, "Why any of them
 "should imagine he intended to fly? Neither
 "for fear of the king, nor of any man living,
 "will I (said he) be driven to flight. I came
 "not hither to fly, but to stand the malice of
 "the impious, and the rage of assassins." Upon
 V. Epist. 70. this they went out, and commanded the
 l. v. e Cod. knights of his household, at the peril of their
 Vaicano. lives, to go with them, and wait the event
 in silence and tranquillity. Proclamation was
 likewise made to the same effect in the city.
 After their departure, John of Salisbury reprov-
 ed the primate for having spoken to them so
 sharply, and told him, he would have done
 better, if he had taken counsel of his friends
 what answer to make. But he replied,
 Vit. S. T. "There is no want of more counsel. What
 patix. Epist. "I ought to do I well know." Intelligence
 being brought to him that the four knights
 were arming, he said, with an air of unconcern,
 "What matters it? let them arm." Never-
 theless some of his servants shut and barred
 the

the abbey-gate: after which, the monks who were with him, alarmed at his danger, led him into the church, where the evening-service was performing, by a private way through the cloysters.

The knights were now come before the gate of the abbey, and would have broken it open with instruments they had brought for that purpose: but Robert de Broc, to whom the house was better known, shewed them a passage through a window, by which they got in, and, not finding Becket in any chamber of the palace, followed him to the cathedral. When the monks within saw them coming, they hastened to lock the door; but the archbishop forbade them to do it, saying, "*You ought not to make a castle of the church. It will protect us sufficiently without being shut: nor did I come hither to resist, but to suffer.*" Which they not regarding, he himself opened the door, called in some of the monks, who stood without, and then went up to the high altar.

The knights, finding no obstacle, rushed into the choir, and, brandishing their weapons, exclaimed, "Where is Thomas Becket? where is that traitor to the king and kingdom?" at which he making no answer, they called out more loudly, "Where is the archbishop?" He then turned, and coming down the steps of the altar, said, "Here am I, no traitor, but a priest. What would you have with me? I am ready to suffer in the name of him who

BOOK III. "*redeemed me with his blood. God forbid that*
 A. D. 1170. "*I should fly for fear of your swords, or recede*
 "*from justice.*" They once more commanded
 him to take off the excommunication and sus-
 pension of the bishops. He replied, "No
 satisfaction has yet been made: nor will I
 absolve them. Then (said they) thou shalt
 instantly die, according to thy desert." "*I*
 "*am ready to die* (answered he) *that the church*
 "*may obtain liberty and peace in my blood.*
 "*But, in the name of God, I forbid you to hurt*
 "*any of my people.*" They now rushed upon
 him, and endeavoured to drag him out of the
 church, with an intention (as they afterwards
 declared themselves) to carry him in bonds
 to the king; or, if they could not do that,
 to kill him in a less sacred place. But he
 clinging fast to one of the pillars of the choir,
 they could not force him from thence. Dur-
 ing the struggle he shook William de Tracy
 so roughly, that he almost threw him down;
 and as Reginald Fitzurse prest harder upon
 him than any of the others, he thrust him
 away, and called him *pimp*. This opprobrious
 language more enraged that violent man;
 he lifted up his sword against the head of
 Becket, who then bowing his neck, and join-
 ing his hands together, in a posture of prayer,
 recommended his own soul, and the cause of
 the church, to God, and to the saints of that
 cathedral. But one of the monks of Can-
 terbury interposing his arm to ward off the
 blow, it was almost cut off; and the arch-
 bishop

V. Edw.
Grime.

V. Heriber-
tum in Qua-
drilogo, Edw.
Grime.

V. Edw.
Grime, ut
suprà.

bishop also was wounded in the crown of his head. He stood a second stroke, which likewise fell on his head, in the same devout posture, without a motion, word, or groan: but, after receiving a third, he fell prostrate on his face; and all the accomplices pressing now to a share in the murder, a piece of his skull was struck off by Richard Brito. Lastly, Hugh the subdeacon, who had joined himself to them at Canterbury, scooped out the brains of the dead archbishop with the point of a sword, and scattered them over the pavement.

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Thus, in the fifty-third year of his age, was assassinated Thomas Becket; a man of great talents, of elevated thoughts, and of invincible courage; but of a most violent and turbulent spirit; excessively passionate, haughty, and vain-glorious; in his resolutions inflexible, in his resentments implacable. It cannot be denied that he was guilty of a wilful and premeditated perjury: that he opposed the necessary course of public justice, and acted in defiance of the laws of his country; laws which he had most solemnly acknowledged and confirmed: nor is it less evident, that, during the heat of this dispute, he was in the highest degree ungrateful to a very kind master, whose confidence in him had been boundless, and who from a private condition had advanced him to be the second man in his kingdom. On what motives he acted can be certainly judged of by Him alone, *to whom all hearts are open.* He might be
misled

missed by the prejudices of a bigoted age, and think he was doing an acceptable service to God, in contending, even to death, for the utmost excess of ecclesiastical and papal authority. Yet the strength of his understanding, his conversation in courts and camps, among persons whose notions were more free and enlarged, the different colour of his former life, and the suddenness of the change which seemed to be wrought in him upon his election to Canterbury, would make one suspect, as many did in the times wherein he lived, that he only became the champion of the church from an ambitious desire of sharing its power; a power more independent on the favor of the king, and therefore more agreeable to the haughtiness of his mind, than that which he had enjoyed as a minister of the crown. And this suspicion is increased by the marks of cunning and falshness, which are evidently seen in his conduct on some occasions. Neither is it impossible, that, when first he assumed his new character, he might act the part of a zealot, merely or principally from motives of arrogance and ambition; yet, afterwards, being engaged, and inflamed by the contest, work himself up into a real enthusiasm. The continual praises of those with whom he acted, the honors done him in his exile by all the clergy of France, and the vanity which appears so predominant in his mind, may have conduced to operate such a change. He certainly shewed in the latter part of his life
a spirit

a spirit as fervent as the warmest enthusiast's; BOOK III.
 such a spirit indeed as constitutes *heroism*, A. D. 1170.
 when it exerts itself in a cause beneficial to
 mankind. Had he defended the established
 laws of his country, and the fundamental
 rules of civil justice, with as much zeal and
 intrepidity as he opposed them, he would
 have deserved to be ranked with those great
 men, whose virtues make one easily forget the
 allay of some natural imperfections: but, un-
 happily, his good qualities were so misap-
 plied, that they became no less hurtful to the
 public weal of the kingdom, than the worst
 of his vices.

*End of the THIRD BOOK of the History of the
 Life of King HENRY the Second.*

NOTES

ON THE

THIRD BOOK

OF THE

History of the Life of King HENRY
the Second.

BOOK III.

PAGE 8. *For this purpose the archbishop had before employed John of Salisbury, to compile a book, chiefly drawn from the writings of Eadmer, a monk contemporary with Anselm, in which, with an account of the merit of that prelate to Rome and the church, several miracles, said to have been done by him during his life, and after his death, were recorded.*

V. Johan. Sarrisen. de vita Anselm. in Angliâ Sacra, p. 165.
Ibid. p. 156.

It is said in the abovementioned book, that a hare pursued by a pack of dogs having run under the feet of Anselm's horse for protection, he, in compassion to the poor little beast, bid her go off securely, and by the authority of his word alone restrained the bounds. We are also told in another place, that being to dine with a monk, who had nothing for his dinner but bread and cheese, he bid him cast his net into a neighbouring river, and assured him

he should take a fish big enough to feed the whole BOOK III,
 company: the monk did so, *and a fish of a wonder-
 ful magnitude was instantly caught, to the great
 astonishment of all present.* There are other stories,
 if possible, still more ridiculous; but these are suffi-
 cient to instruct us what regard is due to that le-
 gend, and what absurdities the credulity of those
 times could swallow. At the same time it must be
 noted, that the author of this book was one of the
 most sagacious and learned men of that age: but
 neither he, nor his patron Becket, nor Pope Alex-
 ander himself, was ashamed of any lies, which it
 was thought would be serviceable to the interest of
 the church, and do honor to its champions in the
 opinion of the people.

Page 12. *It would be tedious to enumerate each par-
 ticular instance, wherein, by a real or pretended
 zeal for the church, he (Becket) disquieted his fellow-
 subjects, or offended his sovereign, &c.*

Mr. Carte has observed, in a note to p. 579. of
 his History of England, vol. i. that a story men-
 tioned by some writers, and quoted from a manu-
 script History of the Life of Becket, preserved in V. Edward
Grim or
Ryme, Mss.
Gresham Col-
lege.
 Gresham College, is too absurd to need a serious
 refutation, as it is founded upon a supposition, that
 the two shillings an hyde, levied for *danegeld*, was
 not for the king's use, but was due to the under
 sheriffs, that held the county courts. Indeed both
 in that author, and in another Life of Becket,
 where I find it also mentioned, it appears a most
 idle and groundless tale, unsupported by all accounts
 of the revenue in that age. Yet this alone can,
 with any degree of propriety, be alledged as an in-
 stance of Becket's contending for the rights of the
 people against the crown, because, it is said, he
 maintained, that his tenants ought not, *de jure*, to
 pay

BOOK III. pay that money, *as belonging to the king.* In all other respects his contention with the crown was so far from being any way beneficial to the people, that it tended to deprive them, where-ever clergymen were concerned, of the benefit of royal justice and royal protection. Nor had the cause he maintained the least connexion with their *liberty*, unless we suppose that their *liberty* consisted in making the church and all churchmen independent on the state, according to the principles of Gregory the Seventh. This most evidently appears from the account I have given of the whole process of his long dispute with the crown, on the authority of his letters, and those of his friends and the companions of his exile. But, as some persons think any opposition to a king a struggle for *liberty*; so others wish to recommend this prelate *in that light* to the esteem and favor of those, who would not respect him as a martyr for popery in its most extravagant claims. A late writer, more ingenious than accurate or impartial, speaks of him as *a guardian of the rights of the subject, and standing in the breach against an arbitrary power, which would have overturned them.* One should imagine from these words, that the Constitutions of Clarendon had been ordinances imposed, not by the whole legislature, but by the *arbitrary power* of King Henry the Second. Whereas they not only were enacted by the advice and authority of parliament, but after a strict enquiry into what was *the law and custom of the land* before that time, which these statutes did no more than revive and confirm. The preamble to them says, “in præsentia ejusdem regis facta est
 “ *ista recordatio vel recognitio cujusdam partis consuetudinum, et libertatum et dignitatum antecessorum suorum, videlicet, regis Henrici avi sui et aliorum, quæ observari et teneri debent in regno.*”

What

What Becket opposed, even after this act of parliament, to which he had consented, is here declared, by the voice of the whole legislature, to be *a recognition of customs, and liberties, and dignities of the king's ancestors, namely of King Henry the First and others, which ought to be observed and maintained in the realm.* It was therefore the authority of the law, and of the legislature of England, not the lawless will or the arbitrary power of the king, against which Becket directed that opposition for which he has been sainted. The great Charter does indeed begin with a confirmation of the rights and liberties of the church. "Imprimis concessimus Deo et hac præsentī cartā nostrā confirmavimus pro nobis et hæredibus nostris in perpetuum, quod Anglicana ecclesia libera sit, et habeat omnia jura sua integra et libertates suas illæsas." But it must be supposed, that these rights and liberties of the church were defined and limited by the laws and customs of the realm, and by that right, which is inherent in the supreme magistrate of every civil society, to administer justice impartially to all his people. That under the notion of ecclesiastical liberty the clergy meant *dominion*, appears undeniably from numberless facts in those times, and is plainly declared by a clergyman contemporary with Becket, who, speaking of the agreement between King Stephen and Henry Plantagenet, which (as it was made by the mediation of the bishop of Winchester) he supposed would confirm the pretensions of the church in their whole extent, cries out with a kind of rapture, *Clerus nunc demum* v. Dicato *DOMINABITUR!* But Henry, in concurrence with Images Hist. the whole legislature at the council of Clarendon, opposed the accomplishment of this pre- toriarum inter D. Scriptores, col. 528. sub ann. 1153. *diction*, and (as far as it could be done with-

out

BOOK III. out an entire reformation from popery) resisted that *dominion*.

P. 229, 230.

On what foundation the abovementioned writer affirms, "*that the whole nation, at the accession of King Henry the Second, was in the utmost consternation, lest he should avail himself of the title of Conquest, and set aside the rights of the people, in imitation of the founder of the Norman line,*" I am at a loss to discover. Not one of the many contemporary writers says any thing like it; but all their histories are full of the national joy on that event. His treaty with Stephen was an unsurmountable bar to any title *by conquest*, if he had ever thought of setting up so wild a claim, which it was impossible he could do, as he had not even a *victory*, on which to ground it. While he was in arms against Stephen, he had been chiefly supported by the English themselves; and, after the death of that king, the whole nation unanimously submitted to his government, without a blow being struck against his right of succession.

P. 14. *Becket had lately protested some clergymen, guilty of enormous and capital crimes, from being delivered up to the justice of the crown.*

Besides the instance I have given, and other similar cases, one is mentioned by some writers, as having greatly incensed and exasperated the king against the archbishop, but with circumstances so different, that the degree of guilt in the person whom that prelate protected against the royal justice cannot easily be discovered from these accounts.

V. Diceto inter D. Scrip. sub ann. 1164. p. 537.

Diceto relates it in these words: "*Huic controversiæ præstitit occasionem Philippus de Broc, canonicus de Bedeford, qui tractus in causam propter homicidium in iusticiarium regis verbum protulit contumeliosum.*" But Fitzstephen says nothing

nothing of his having been indicted for murder or BOOK III.
homicide, but only that he had affronted Simon
Fits-peter before a great audience, and while Simon
was employed in the king's service, upon a difference
or quarrel which arose between them at Dunstaple,
where that magistrate was with other itinerant
justices. "Item erant regis justiciarii itinerantes
" aliquando apud Dunstapulum: orta est aliqua
" altercatio inter Simonem filium Petri, et quendam
" canonicum Bedesfordiæ Philippum de Brois.
" Questus est postea Simon regi, quod eum Philip-
" pus, in obsequio ipsius et magna audientia, tur-
" piloquio inhonorasset." And one of the writers
of the *Historia Quadripartita* tells the fact in these
words: "Circa idem tempus Philippus quidam
" de Lidrois, canonicus, justiciarium regis quibus-
" dam contumeliis affecit," without any mention
of his being at the bar before the king's justices,
on a charge of so heinous a nature. Probably,
the account that is given by Diceto is the truth,
which the other writers have softened. They also
differ in their accounts of his punishment. Fitste-
phen says, "Clerus ad regem mitigandum decrevit,
" per annum beneficio præbendæ suæ, simul et
" regni inhabitatione, Philippum privandum. Ira
" factum est, nec tamen regi satisfactum est."
Diceto says, "Præbendæ suæ multatus est bene-
" ficio, pulsus est a regno per biennium." In the
Historia Quadripartita, or *Quadrilogus*, it stands
thus: "Querelâ ad archipræiulem delatâ, dictus
" clericus, etiam supra modum delicti, ut vel sic
" facilius quiesceret regis indignatio, est punitus,
" publicæ scilicet virgarum disciplinæ adjudicatus, et
" per annos aliquot ab omni officio et ecclesiastico bene-
" ficio, quod in regno habebat, suspensus." In the
copy of this book prefixed to Becket's Letters,
Vol. IV. B b. instead

BOOK III. instead of *Philippus de Lidrois*, it is *Philippus de Brois*.

P. 25. *It is my master's pleasure that I should forswear myself, and at present I submit to it, and do resolve to incur perjury, and repent afterwards as I may.*

The words in the original are, "*Est domini mei voluntas ut pejerem, et ad præsens subeo, et incurro perjurium, ut potero penitentiam acturus in posterum.*" It is not quite clear whom Becket meant by the words *domini mei*, whether the king or the pope. If he meant the pope (whom in his letters he often calls *his master*), the reason must have been, that the friends he had gone to consult with had persuaded him to think, that his dissembling on this occasion, even so far as to take an oath he was determined to break, would be more agreeable to Alexander, than that he should stand the present danger of refusing to take it.

P. 28. *It must also be observed, that Baronius, who, in writing of these times, has transcribed several letters out of the Vatican manuscript of the same collection, and particularly that to which this appears to be an answer, has omitted to transcribe or mention this: and (what is no less remarkable) in the printed edition made at Brussels from the Vatican manuscript, this is also left out.*

The letter to which this is an answer stands in the Brussels edition Epist. 108. but it's proper place is immediately after the letter from the clergy of England to Becket, which is there the 126th of the first book.

Ibid. If any dispute shall arise concerning the advowson and presentation of churches, between laymen, or between ecclesiasticks and laymen, or between ecclesiasticks,

Picks, let it be tried and determined in the court of BOOK III.
our Lord the king.

Before the establishment of the spiritual court in England, rights of advowson were tried in the county courts, where the presence of the king's officer and other lay-assistants prevented partial and unjust decisions by the ecclesiastical judge. But, after the separation of the ecclesiastical and civil jurisdictions by William the Conqueror, the clergy endeavoured to draw all causes of this nature into the spiritual court; which was very prudently resisted by the civil power in those days, and the trial thereof reserved to the king's supreme court.

P. 29. *It is unlawful for archbishops, bishops, and any dignified clergymen of the realm, to go out of the realm without the king's license; and if they go, they shall, if it so please the king, give security that they will not, either in going, staying, or returning, procure any evil, or damage, to the king, or the kingdom.*

This was enacted to prevent the too frequent and dangerous intercourse between the pope and English prelates. I agree with Mr. Selden, that the words *personæ regni*, in the original constitution, should be translated *dignified clergymen*. They comprehend abbots, priors, the king's chaplains, and all clergymen who held of him in chief; but do not here, I think, extend to all *parsons*, or *beneficed clergymen*. Titles of Honor, p. 737
733.

Ibid. *Persons excommunicated ought not to give any security by way of deposit, &c.*

The words in the original are, “*non debent dare vadium ad remanens*,” which, being somewhat obscure, have been differently translated by different au-

BOOK III. thors. I have rendered them according to the best information I could gain of their *legal* sense.

P. 30. *No tenant in chief of the king, nor any officer of his household, or of his demesne, shall be excommunicated, nor shall the lands of any of them be put under an interdict, unless application shall first have been made to our lord the king, if he be in the kingdom, or, if he be out of the kingdom, to his justiciary; that he may do right concerning such person, and in such manner, as that what shall belong to the king's court shall be there determined, and what shall belong to the ecclesiastical court shall be sent thither, that it may there be determined.*

V. Dicem,
col. 536.
M. Paris.

One reason, assigned for this by the authors of those times, is, that the king should not ignorantly be exposed to converse with an excommunicated person. But, to prevent *that*, a bare notice given of it to the king would have been sufficient; whereas the constitution itself declares the intention to be, *that the king may do right concerning such person.* And it not only secures the persons of the king's tenants and officers from excommunication, but also their lands from an interdict, without application to him. It appears from a passage in one of Becket's own letters, that he himself understood the sense of it to import, not only that notice ought to be given to the king of the excommunication or interdict, but that his leave must be obtained. In truth, it was meant as a check upon the power of the spiritual court, and (as appears from Eadmer) was coeval with the establishment of that court in England. Yet the latter part of it shews, that it did not take from thence all power of inflicting the discipline of the church on scandalous sinners because they held of the king, or served him.

V. Epist. 8.
T. l. i. epist.
96.

him as his officers; but only prevented the exercise of BOOK III.
 that jurisdiction over his tenants and officers without
 a reasonable cause, or in cases not properly cogniz-
 able there, but belonging to his courts of civil or
 criminal justice. The only fault of this law seems to
 have been the limitation of it, in making that a pri-
 vilege of one class of the people which was a right
 due to all.

Ibid. Concerning appeals, if any shall arise, they ought
 to proceed from the archdeacon to the bishop, and
 from the bishop to the archbishop. And if the arch-
 bishop shall fail in doing justice, the cause shall at last
 be brought to our lord the king, that by his precept
 the dispute may be determined in the archbishop's
 court; so that it ought not to proceed any further
 without the consent of our lord the king.

In a letter of the bishop of London to the pope
 concerning the dispute between the king and Bec-
 ket, he explains this constitution as being no *pro-*
hibition of appeals to Rome, but only a check on
 their being carried thither *unnecessarily*, and *without*
the leave of the king. His words are these: " *In* V. Epist. S.
" appellationibus ex antiqua regni sui consuetudine id T. l. i. epist.
" sibi vindicat (rex scilicet) honoris et oneris, ut ob 38.
" civilem causam nullus clericorum regni, sui ejusdem
" regni fines exeat, nisi, an ipsius auctoritate et man-
" dato jus suum obtinere queat, experiendo cognoscat.
" Quod si nec sic obtinuerit, ad excellentiam vestram,
" ipso in nullo reclamante, cum volet quilibet appel-
" labit." Without question, there is not in the
 words of this constitution any direct prohibition
 of appeals to Rome; it being only declared, that,
 upon an appeal from the archdeacon, the cause
 ought not to proceed any further than the arch-
 bishop's court *without the consent of the king*. But
 in effect this restraint would generally have stopt

BOOK III. the cause in *that court*; and it manifestly asserted the royal supremacy, by subjecting the power of appealing to Rome, in ecclesiastical causes, to the will and pleasure of the king: whereas the pope claimed the right of receiving such appeals as inherent in his see. Henry's desire of gaining the consent of the bishops to this constitution was the reason of his avoiding an *express prohibition*: but he intended it should have the same operation, and the pope saw that intent.

P. 31. *Pleas of debt, whether they be due by faith solemnly pledged, or without faith so pledged; belong to the king's judicature.*

The clergy of England began first in the reign of King Stephen to extend their jurisdiction in the spiritual courts to the trial of persons for breach of faith (*pro lussione fidei*) in civil contracts; by which means they drew thither a vast number of causes which belonged to the civil courts, and of which they had no proper cognisance. To this encroachment they were instigated by the bishops of Rome; and therefore Alexander condemned the above-recited statute, which was made to prevent it.

P. 32. *When an archbishoprick, or bishoprick, or abbey, or priory, of royal foundation, shall be vacant, it ought to be in the hands of our lord the king, and he shall receive all the rents and issues thereof, as of his demesne; and when that church is to be supplied, our lord the king ought to send for the principal clergy of that church, and the election ought to be made in the king's chapel, with the assent of our lord the king, and the advice of such of the prelates of the kingdom as he shall call for that purpose; and the person elect shall there do homage and fealty to our lord the king, as his liege lord, of life, limb, and*

and worldly honor (saving his order), before he be BOOK III.
consecrated.

Of the foundation of the right asserted to the king by this statute enough has been said in the preceding book of this History. I will only add here, that the same practice prevailed in the kingdom of France, in the dutchy of Normandy, and in the Norman kingdom of Sicily. Notice has also been taken of the *saving clause* at the end of it, which certainly opened a wide door to elude all the obligations contracted by the prelates in the act of homage and oath of fealty; though I find it affirmed by Becket, in a letter to the pope, *that the same* V. Epist. S. T. C. I. iv. epist. 6.
form was then used by the whole Christian church. He likewise adds, that, when his holiness absolved him from the oath he had taken at Clarendon, that pontiff told him, *that not even for the preservation of his life should a bishop lay himself under any obligation without a saving to his order and to the honor of God:* which he adhered to pertinaciously in his whole dispute with the king. As for the form of election, which is laid down in this statute, it must be observed, that the making it, in the king's chapel, by the principal clergy of the vacant church, with the advice of only *such of the prelates of the kingdom as he should call for that purpose*, seems to have been a practice of no very ancient date, not older, I presume, than the reign of Henry the First, or William Rufus. For Mr. Tyrrel has proved by many au- See Tyrrel's General introduction to his History of England, from p. 113. top. 115. Chron. ax. edit. Oxon. P. 174. 175.
thorities, that, during the times of the Saxons, the English prelates had been usually elected in the witenagemote, or great council, and with the advice, or concurrence, of the whole assembly. It likewise appears from the Saxon Chronicle, that the same form was continued under William the First. The words are these: "Hoc anno (1070) Lanfrancus, Cadomensis Abbas, compellente rege Willielmo,

BOOK III. "et jubente Papâ Alexandro, Angliam venit; et primatum regni Anglorum in ecclesiâ Cantuariensi suscepit, eligentibus cum senioribus ejusdem ecclesiæ, cum episcopis, et principibus, clero et populo Angliæ, in curia regis." But whatever form, or appearance, of more or fewer electors, had been kept up in those times, or was continued in these of which I write, it appears from a passage in a letter of Peter of Blois, which is inserted in the Appendix to the preceding volume of this History, that *the chief power* in these elections was *by the constitution of the kingdom assigned to the king*. Speaking of Henry the Second, he says, "Cum autem juxta regni consuetudinem in electionibus faciendis potissimas et potentissimas habet partes," &c. Indeed the statute here recited requires no more, than that the prelate shall be elected *with the assent of the king*; but in fact that *assent* was little different from a real *nomination*. The pope and clergy were desirous to exclude the king and all the laity from any share in their elections; which was one principal reason of Alexander's condemning this statute.

V. Epist. Petri
Blesensis
ad Archiepif.
Panormitan.
in Appendice.

P. 37. *Another request had been made to Alexander by Henry, and pressed with great eagerness, which was, that a commission should be granted by his Holiness to the archbishop of York, appointing him legate over the whole kingdom of England, and should be sent to Henry, to be delivered by him to that prelate, whenever he should think proper.*

Some eminent writers, upon the authority of Hoveden, have erroneously supposed that a legatine commission was now granted to Henry for his own use and benefit. But the pope says to Becket, in a letter on this subject, that the king had asked it of him for the archbishop of York, not for himself. "Cum olim (filius noster Henricus &c.) à nobis
" et

V. Epist. S.
T. e Cod.
Vatican. l. i.
epist. 4.

“ et fratribus nostris instantius postulasset *legationem* BOOK III.
 “ *totius Angliæ Eboracensi archiepiscopo indulgeri,*” V. Epist. 8.
 &c. And afterwards, in the same letter, “ *Legationis* T. e Cqd.
 “ *literas præfato archiepiscopo concedendas eidem* Vatican. 1. l.
 “ *regi concessimus.*” And in another, on the same epist. 5.
 occasion, “ Non ob gratiam *concessæ legationis* animus
 “ tuus deficiat, &c. Quoniam nos. antequam ad
 “ hoc deduceremur, et liberum tribueremus con-
 “ sensum, prædicti nuncii nobis ex parte ipsius
 “ regis firmiter in verbo veritatis promiserunt; et
 “ super hoc, si vellemus, recipere juramentum ob-
 “ tulerunt, quod nunquam sine voluntate vestrà
 “ eadem literæ *archiepiscopo Eboracensi redderentur.*”

John of Salisbury likewise says, in another letter to Becket concerning this business, “ Ut pro certo
 “ accepimus, *domini Eboracensis legatio* omnino ex-
 “ piravit.” The mistake of Hoveden might arise
 from the letters of legation being sent to the king,
 who desired to deliver them himself to the arch-
 bishop of York.

P. 41. *But his answer to this summons was an express declaration, that he would not obey it.*

In all this account I follow the authority of the bishop of London's letter to Becket concerning this transaction. I have given it in the Appendix belonging to this book, from the Cottonian manuscript now repositèd in the British Museum; but it may be proper here to recite that part thereof which relates to this matter. The words are these: “ Per-
 “ latum est ad vos mandatum regium, ut cuidam Bib. Cott.
 “ regni nobilium, super prædio quod à vestrà vendi- Claudius,
 “ cabat ecclesiâ, quod justum foret exhiberetis. b. 2, 3. f. 92.
 “ Qui post statutos dies ad regem reversus asseruit,
 “ se penes vos justiciam assequi nequivisse, et se id
 “ ipsum, juxtâ regni statuta, coram vobis, suo con-
 “ gruoque testium juramento comprobasse. Quo

“ regem

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“ regem prosequente diutius, et super exhibendâ
 “ sibi justiciâ quotidie supplicante, domini nostri
 “ regis ad vos est emissâ citatio, ut statuto die se
 “ *vestra sublimitas* sibi exhiberet, ut, quod ipso
 “ mandante non egerat, eo cognoscente, litemque
 “ judicio dirimente compleret. Non est à vobis
 “ hæc admissa citatio, *verum vos in hoc sibi minime*
 “ *paritutum declaravit a vobis ad ipsum delegata re-*
 “ *sponsio.* Arbitratus hoc ipso dominus rex juri suo
 “ detrâhi graviter et potestati, ecclesiam regni jussit
 “ ad concilium Northamptoniam convocari. Con-
 “ venit populus, ut vir unus, et assidentibus sibi
 “ quorum id dignitati congruebat et ordini, quod
 “ dictum est super exspecto mandato suo, in que-
 “ relam adversus vos, usus, quâ decuit, modestiâ et
 “ venustate, proposuit. Porro quod intendit, fra-
 “ trum vestrorum non expectato vel expetito con-
 “ silio, *vestra in continenti confessio confirmavit, ad-*
 “ *jiiciens, vos ob id non paruisse mandato, quod*
 “ *Johannes ille, qui regis ad vos mandatum per-*
 “ *tulerat, in vestrâ præsentia, non evangelio sed*
 “ *tropario quodam proposito, juravisset.* Est itaque
 “ dictum in commune, *causam non eam esse ob quam*
 “ *mandatum regium oportuisset omisisse; regnique fore*
 “ *consuetudinem, in offensis hujusmodi, multa pecuni-*
 “ *aria suam rem taxante misericordiâ placari regem,*
 “ *Paruit regis sublimitas vestra sententiæ, ad plenum*
 “ *cavens super judicati solutione.*” The recapitu-
 lation here made of all that passed on this occasion,
 in a letter to Becket himself, from the bishop of
 London, who was present at the whole proceeding,
 is of far greater authority than any relations of
 contemporary historians; and therefore whatever is
 said, by any of those writers, inconsistent therewith,
 deserves, I think; no credit. But the grounds of
 the sentence, and the form of it, as given by
 Fitzstephen, perfectly agree with the facts as stated
 in

in the letter, though not as they are related by BOOK III.
 that writer himself. His account of it is as follows: " Visum est omnibus, ex reverentiâ regis
 " majestatis et ex astrictione ligii homagii quod
 " domino regi fecerat archiepiscopus, et ex fide-
 " tate et obſervantiâ terreni ejus honoris quam ei
 " juraverat, quod parum eſſet deſenſus vel excuſa-
 " tus, quia citatus à rege neque venerat, neque
 " corporis infirmitatem, vel neceſſariam, quæ deſerri
 " non poſſet, officii eccleſiaſtici adminiſtrationem, per
 " nuncios allegaverat. Condemnandumque eum dix-
 " erunt in pœnam pecuniariam omnium bonorum
 " ſuorum mobilium ad miſericordiam regis." But in
 the *Hiſtoria Quadripartita* it is ſaid, that Becket
 proved he had ſent a ſufficient answer. " Trahitur.
 " in cauſam archiepiscopus, quod ad quandam regis
 " citationem ſe in propriâ perſonâ non exhibuerit.
 " Qui, licet ſufficientem reſponſionem pro ſe miſiſſe pro-
 " baverit, tamen omnium, tum procerum, tum etiam
 " pontificum judicio, mox omnia bona ejus mobilia
 " ſunt conſiſcata, niſi forte regia clementia vellet
 " temperare judicium. Quod, ſicut vulgo dicitur,
 " De omni mobili ſuo in regis miſericordia judicatus eſt."
 Gervase likewiſe affirms, that it was not from con-
 tempt, but from his being unwillingly detained by
 a violent fit of ſickneſs, that he did not obey the
 king's citation; and adds, that he made this excuſe
 by meſſage in due form. " Quod autem ſuper
 " hoc citatus ad regis non venit præſentiam, non
 " contemptus fuit, ſed infirmitate valida invitius re-
 " tentus eſt, atque ſuper hoc per duos legales viros,
 " quos ipſe miſerat, excuſatus eſt." Which is di-
 rectly contrary to the letter above-recited, and to
 the grounds of the judgement as we find them de-
 livered by Fitſſtephen in the paſſage before quoted.
 I will add, that the pope's decree annulling that
 judgement (which the reader may ſee in the Ap-
 pendix

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pendix to this book) alledges no such message, nor any sickness of Becket, but objects to it from reasons derived only from the policy and claims of Rome; whence, I think, we may draw a very strong presumption, that the account given by Gervase had no foundation of truth. It is also remarkable, that, in the *Historia Quadripartita*, Becket is said to have complained, not that his plea of having been unwillingly detained by sickness had not been accepted, but *that this was a new form of judgement according to the new canons promulgated at Clarendon. For it had never been heard of before, that an archbishop of Canterbury was tried in the court of any king of England for any cause whatsoever, as well in respect of the dignity of the church, and the authority of his person, as because he was the spiritual father of the king and of all in the kingdom, on which account they were all bound to defer to him in all points.* “*Cum vero audisset se judicatum sic, quale, inquit, sit judicium hoc? Me etiam tacente, secula post-futura non tacebunt. Nova quippe judiciorum forma hæc est, forte per novos canones proxime apud Clarendon promulgatos. Si quidem a seculo non est auditum quenquam Cantuariæ archiepiscopum in curiâ regum Anglorum pro qualicunque causa judicatum, tum propter dignitatem ecclesiæ, tum propter auctoritatem personæ, tum quod ipse regis et omnium qui in regno sunt spiritualis pater est, et ob id semper ei deferendum ab omnibus.*” The same writer adds, that he complained much more of his brethren the bishops, than of the judgement itself, or of the temporal barons who judged him, “*multo magis quam de judicio, vel proceribus judicantibus, de confratribus suis et cœpiscopis queratur,*” because it was contrary to the order and course of justice, *that an archbishop should be judged by his suffragans, or a father by his sons; ut archi-*
“*præsul*

“ *præsul à suis suffraganeis, aut pater à filiis judi-* BOOK III.
 “ *cetur.*” I have followed Hoveden in saying that
 it was understood, that a fine of five hundred pounds
 would be accepted by the king, at whose mercy this
 sentence left all the archbishop's goods and chattels.
 The words of that historian are these : “ Et barones
 “ *curiæ regis judicaverunt eum esse in misericordia*
 “ *regis, et, quamvis archiepiscopus niteretur judi-*
 “ *cium illud falsificare, tamen prece et consilio*
 “ *baronum posuit se in misericordiâ regis de quin-*
 “ *gentis libris, et invenit ei fidejussores.*” From
 hence it seems, that a fine of five hundred pounds
 in the money of those days was the usual compo-
 sition for those whose goods and chattels were thus
 declared to be at the king's mercy, *in misericordia*
regis. But neither Hoveden, nor any contempo-
 rary writer, except Fitstephen, makes any mention
 of Becket's having complained to the bishops, that
 they had laid an excessive fine upon him, because,
 as an inhabitant of the county of Kent, he ought,
 by the custom of that county, to have paid but
forty shillings for a default of this nature.

Some of our modern historians, in their accounts See Tyrrel
and others.
 of this proceeding, have translated the word *Tre-*
parium, or *Tropar*, *Song-book*: but Mr. Carte more P. 382.
 truly renders it *a book of Hymns sung in church be-*
fore the introit of the communion service; and says in
 a note, “ It was usual to put some passage of the
 “ Gospels at the head of such books used in divine
 “ service; and I have seen in old manuscripts the
 “ beginning of the Gospel of St. John so placed, on
 “ purpose for people to swear on.” It is reasonable
 to suppose it was so in this instance; and then no-
 thing could be more frivolous than Becket's ob-
 jection; but an oath upon a *Song-book* could not
 have been admitted in any court.

It

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It may be worth observing here, that, by the passage above-recited from the bishop of London's letter, it seems that the appellation of *vestra sublimitas*, *your sublimity*, was given in those days to archbishops of Canterbury: yet I do not find it in the letters of Becket's other correspondents.

P. 42. *We are told by one author, that this sentence was pronounced by the bishop of Winchester, at the command of the king: but I think the fact very doubtful.*

The silence of all the contemporary writers, except Fitzstephen, is alone a sufficient reason to doubt of the truth of this particular; but, if we consider the improbability of it, that doubt will be strengthened. For, in all accounts of the proceedings of the third day, we find, that the sentence of the court against Becket was to have been pronounced by the earl of Leicester, to whom, as grand justiciary, it properly belonged. And no reason appears, why in the trial of one of the spiritual lords, upon a charge of this kind, the temporal barons should say (as Fitzstephen makes them do) *vos, episcopi, pronuntiare debetis sententiam, ad nos non pertinet*. This cause was certainly not *ecclesiastical*; nor is it probable that the king would allow it to be so, and confirm that notion by committing the declaration of the judgement to one of the prelates. But, if the temporal lords and the king himself had so unaccountably erred in the nature of this proceeding, the pronouncing of the sentence would more naturally have belonged to the archbishop of York, than to the bishop of Winchester, one of Becket's suffragans.

P. 43. *The next day the king demanded of the archbishop five hundred pounds, which he said he had*

lent him, when that prelate was his chancellor. BOOK III.
Becket affirmed, that it was given, not lent: but,
as he could not prove the grant, the court con-
demned him to pay the money back, and he submit-
ted to the sentence; five of his vassals offering them-
selves to be his sureties, as they saw the bishops un-
willing to pledge themselves for him any further.

This account is taken very exactly from Herbert de Boscama, one of the writers from whose history of these transactions the *Quadriologus*, or *Historia Quadripartita*, and the Life prefixed to Becket's Letters in the Brussels edition, are compiled. There are some small differences in the passage as it is printed in those books, but not worth observing here. I will only take notice, that the authority of Herbert de Boscama, in this particular, is supported by Gervase of Canterbury; and that the former was present at this whole proceeding. Yet Fitzstephen, who was also present, takes no notice of this demand of five hundred pounds; but mentions one of three hundred, which Henry made upon Becket, P. 37, 38. from his receipts of the lands belonging to two castles which had been in his custody; and another of five hundred marks, which that prince said he had lent him in the Toulouse expedition; and a third of the same sum, for which he had been his surety to a certain Jew of that country. To the first of these, he says, the archbishop (after arguing, that he was not bound to make any answer thereupon, not having been cited concerning it) did nevertheless plead, that he had spent this money, and much more, in the repairing of those castles and of the royal palace at London, *as might evidently appear from the repairs themselves.* But, the king not confirming the truth of this assertion, and, on the contrary, demanding that the cause should be tried, Becket voluntarily acquiesced in the payment

BOOK III. ment of the money, for the sake of avoiding any offence to that prince on a pecuniary matter, and found three lay-sureties, one of whom was the earl of Gloucester, *among his own vassals*.

What credit is due to this, or to what is said of the two other demands abovementioned, the reader will judge: but it is unsupported by the testimony of any other historian who lived in those times; and one can hardly conceive, that they should all have past it over in silence, had they known it to be true. Nor could it possibly have escaped the particular knowledge of Herbert de Bosham, who was present in the court. He and all of them were desirous to exaggerate the severity of the proceedings against Becker, rather than to suppress any part of them which might be thought a hardship. On the other hand, no mention is made by this author of the demand of five hundred pounds, which, Herbert de Bosham and Gervase say, the king declared he had lent to that prelate; unless we suppose that the loan of five hundred *marks* in the Toulouse expedition, or that other of the same sum for which the king was his surety (as we are told by Fittstephen), is to be understood to mean the same demand, notwithstanding the difference between *marks* and *pounds*, and though nothing is said here of his having agreed to pay the money, and found *five* sureties. Upon the whole, I think the authority of this historian too slight to be followed in any material variation from the others contemporary with him, especially in his accounts of these publick transactions.

P. 52. *The king in the mean while had demanded justice against him from the temporal peers, and had called in certain sheriffs, and some barons of inferior dignity, to assist in the judgement.*

The

The words of Fitzstephen, from whom I take BOOK III.
 this account, are these: "Evocantur quidam vice-
 "comites et secundæ dignitatis barones antiqui V. Stephanid.
in vitâ S. T.
 "dierum, ut addantur eis, et assint iudicio." The Cantuar.
 question is, who were these *secundæ dignitatis barones*.
 Bracton says, "*Comites, vel barones, non sunt amer-*
ciandi nisi per pares suos, et secundum modum
delicti, et hoc per barones de scaccario, vel coram
ipso rege." It seems by this passage that the
barones de scaccario were then esteemed *pares baro-*
num. Mr. Selden says, "perhaps the barons of the Titles of Ho-
 "Exchequer were therefore in former ages called nor, 2^d part,
sect. xvi.
 "so, because they were anciently made of such p. 717.
 "as were barons of the kingdom, or parliamentary
 "barons. If otherwise, why were they styled *pares*
 "or *peers* to parliamentary barons in Bracton?"
 Whether in the time of Henry the Second the
 barons of the Exchequer were all barons of the
 kingdom, I do not find. If they were not, some
 of these might be the *barones secundæ dignitatis*
 here-mentioned. The sheriffs, said by the same
 author to have been likewise called in, to assist in
 this judgement, were not *barons of the kingdom*
 (though it appears that many sheriffs were so at
 that time); for if they had, they must of course
 have concurred in the judgement, *as peers*, and
 could not have been mentioned with the *barones*
secundæ dignitatis called to it by the king. That
barones secundæ dignitatis, in the general sense of
 the words, meant great lords of manors, *not holding*
of the king, and therefore inferior to *his barons*, but
 who had *court barons* under them, and in many
 records are called *barones*, I have hardly any doubt.
 But the difficulty lies, in their being joined to the
barones regis, the *greater barons*, in the judgement
 of a bishop upon an accusation in parliament.
 That in calling them in the king did nothing irre-

BOOK III. gular against the privilege of the peerage, or the law and usage of those times, may be reasonably inferred, from no complaint being made of it in any of the letters of Becket, or those of his friends, concerning this affair, or in any history of his life, or chronicle of this reign. He and all his apologists would undoubtedly have taken advantage of any irregularity, to have impeached the proceeding, as illegal and void. Whether the barons of the Cinque Ports were then esteemed as *peers* to the king's barons, so far as to be capable of concurring in a judgement where those were concerned, I cannot say. It must be noted, that in the passage here considered it is not said, that *all* the sheriffs, or *all* the *barones secundæ dignitatis*, were called in to this judgement, but only some of each class, and they, *antiqui dierum*, aged men; as we find that in framing the constitutions of Clarendon, the *antiquiores regni* were consulted, on the meaning of which term a good deal has been said in one of the notes on the foregoing book of this History. The word *evocantur* expresses that they were called out of *the general assembly*, from which the king's barons were separated before. Possibly they were not called to *concur* in the judgement, but only as *assistants*, *ut assint iudicio*, in order to give it a greater solemnity, or for their advice as to the method and order of proceeding.

C. i.

Mr. Selden says, in his Treatise on Judicature in parliament, "Here ariseth a question, whether the spiritual lords *de jure* are triable by their peers, or no. Out of parliament they are not to be tried by the peers; but the doubt is, whether in time of parliament they are to be so tried, or not. To me it seems they may, if *the matter be moved against them in parliament.*" And afterwards, "There be divers precedents
" also

“ also of the trial of *bishops* by their peers in par- BOOK III.
 “ liament, as well for capital offences, as misdemeanors,
 “ whereof they have been accused in parliament.”
 And he gives two precedents of archbishops of
 Canterbury so tried for misdemeanors, and for trea-
 son; to which may be added this of Becket.

P. 54. *Nor could he refrain from revenging himself upon two of the most clamorous, by very foul language; &c.*

I relate this on the authority of William of Canterbury, as cited in the *Quadrilogus*, or *Historia Quadrupartita*, and, with some unimportant variations, in the Life of Becket prefixed to the Brussels edition of his Letters. This author must not be confounded (as he has been by some writers) with William Fitzstephen, from whom he differs materially in this and other particulars. For the latter, though he mentions the reproaches cast on Becket, takes no notice of the answers returned by that prelate, but says only, “ *O quantum sustinuit in illa die in-* V. Stephanid.
 “ *spiritu martyrium!*” because, I presume, he was P. 46.
 sensible that such opprobrious railings, and foul language, were by no means agreeable to the patience of a martyr, or the temper of a saint.

P. 55. *Presently afterwards he received a message from that prelate, by the bishops of Hereford, Worcester, and Rochester, requesting his licence to go out of the kingdom.*

The words of Herbert de Bosham, in the *Historia Quadrupartita*, are: “ *Hymno vero dicto, archipræsul surgens à mensâ confestim Rogerum Vigornensem, et Robertum Herefordensem episcopos, et Rossensem episcopum, proprium capellanium suum, ad regem misit, postulans ab eo securum de terra sua egressum.*” Gervase of

BOOK III. Canterbury also says, "Vocatis autem tribus episcopis, quos arctius diligebat, ipsis mediantibus petivit a rege *liberum de terra egressum*." The obvious sense of the words *liberum de terra, vel securum de terra sua egressum*, is licence to go out of the kingdom; or, as Mr. Tyrrel expresses it, to go beyond sea. But, from the words of Fitstephen, in his Life of Becket, it should seem, that Becket only desired the King's leave to go from Northampton under a safe conduct. "Postea tres episcopos, Walterum Roffensem, &c. misit regi archiepiscopus, *querere ab eo licentiam et conductum præstari sibi in crastino recessuro*." This may be thought the most probable; but Herbert de Bosham's authority in this instance is superior to that of Fitstephen, as it appears that he was with Becket when this message was sent, and the only one of his attendants entrusted by that prelate with the secret of his flight. For he says, just before the account he gives of the message, "*respexit (archiepiscopus scilicet) ad discipulum qui scripsit hæc*." And afterwards, "Igitur archiepiscopus, clam de nocte fugiens, fratrem unum de ordine de Simplingeham secum habens, *me duce*, versus Aquilonem ad nobilem illam civitatem Lincolniam tendebat."

P. 83. *Archbishops, bishops, and all dignified clergymen who hold of the king in chief, have their possessions from the king as a barony, and answer thereupon to the king's justices and officers, and follow and perform all royal customs and rights, and, like other barons, ought to be present at the trials of the king's court with the barons, till the judgement proceeds to loss of members or death.*

The evident intention of this constitution, or statute, was to enforce on the prelates the obligations

tions and duties arising from their baronies, as settled by the legislature under William the First, against the immunities they now claimed, and particularly the service of attending the judicature of the *curia regis* in all trials there. The exception to *cases of blood* seems to have been grounded on that part of the canon law which had been received in this kingdom. For in the council of London held under Lanfranc, archbishop of Canterbury, in the ninth year of William the First, some canons made in Spain were admitted and confirmed, by which no bishop, or abbot, or ecclesiastical person, was allowed to judge in cases extending to life or limb, or to assist in such judgements. “Ex conciliis
 “Eliberetano et Toletano undecimo, ut nullus
 “episcopus, vel abbas, seu quilibet ex clero, ho-
 “minem occidendum vel membris truncandum
 “judicet, vel judicantibus suæ auctoritatis favorem
 “commodet.” Concerning this point there is a remarkable passage in the works of Peter de Blois. He says, in his treatise *De Institutione Episcopi*, “Illud cœlestem exasperat iram, et plerisque dis-
 “crimen æternæ damnationis accumulât, quod
 “quidam principes, sacerdotes, et seniores populi,
 “*licet non discent judicia sanguinis, eadem tamen*
 “*trahunt disputando, et disceptando de illis, seque*
 “ideo immunes a culpâ reputant, quod mortis aut
 “truncationis membrorum judicium decernentes, a pro-
 “nuntiatione duntaxat aut executione pœnalis sententiæ
 “*se absentant.*” This proves undeniably, that in Henry the Second’s time the prelates only withdrew from the pronouncing of the sentence in cases of blood, but not from the trial, or from any debates thereupon,

V. Concilia
 Magnæ Brit.
 edit. Wilkins
 p. 363.

BOOK III. P. 84. *The sons of villeins ought not to be ordained without the consent of their lords, in whose lands they are known to have been born.*

The reason of this was, that the ordaining of a slave had the effect of an enfranchisement; and therefore, the sons of villeins being born in slavery, it was robbing their lord, to set them free in this manner, without his consent.

P. 89. *For, about the beginning of the year 1165, he banished out of England, by a general sentence, all the relations, friends, and dependents, of Becket, &c.*

Among these Fitzstephen particularly mentions some who had given him a night's lodging in England when he fled from Northampton, and before he past the sea; "*qui cum vagum in Angliâ a facie regis et profugum unâ nocte susceperant.*" The others, who were not of his kindred, appear to have been chiefly his chaplains and servants, *clerici ejus et servientes.*

P. 34.

Ibidem.

P. 91. *Ranulph de Broc, who had the principal care of this business, was a man of a cruel nature; and Gervase of Canterbury, who describes him as such, seems to impute these barbarities chiefly to his hatred of the archbishop, whose enemy he had been for some time.*

P. 31.

This is further confirmed by the testimony of Fitzstephen, who says, in his Life of Becket, "*Secundo die natalis, veniunt Londoniam apparitores et officiales regis, inter quos quidam Randulphus de Broc, scelere ante alios immanior omnes, cui etiam, laico crudelissimo et archiepiscopi inimicissimo, sanctam illam ecclesiam Cantuariensem, primariam Anglorum sedem, custodiendam,*
" immo

“ immo potius destruendam, commisit. Iste cum BOOK III.
 “ aliis quibusdam regii mandati est executor:
 “ faciunt impetrata, et pejora impetratis.”

P. 92. *for the innocent sufferers met with pity and kindness in their exile : &c.*

Fittstephen tells us, that all the women and infants P. 52.
 were taken into nunneries. In citing this author, I generally follow a printed copy of his History in the British Museum, which, though published at London in the year 1724, is become very scarce : but there are many manuscripts of it in different libraries, some of which I had seen before I knew of this edition.

P. 100. *But, to punish them as much as lay in his power, he commanded the eyes of the hostages, they had formerly given him, to be now put out, &c.*

Hoveden and Dr. Powel, in his Welsh chronicle, have given different accounts of this fact. The words of Hoveden are : “ Justiciam fecit de filiis
 “ Ris, et de filiis et filiabus nobilium suorum,
 “ oculos puerorum eruit scilicet, et nares auresque
 “ puellarum abscidit.” The Welsh historian takes no notice of any girls having been punished among the hostages, nor does he confine this cruel execution to those received from the prince and nobles of South-Wales, but says, “ *the king caused the
 “ pledges eyes (whom he had received long before
 “ that) to be put out; which were Rbees and Cad-
 “ wallon, the sons of Owen, and Cynwrick and Me-
 “ redyth, the sons of Rbees, and others.*”

P. 103. *And, undoubtedly, if he had died without a son, her pretensions, and those of her husband in virtue of his marriage, might have occasioned a civil war in France; which probably would have ended*

in the settlement of the kingdom upon the house of Plantagenet: &c.

It is supposed by some late French writers, that the exclusion of females from the succession to the crown of France was founded on the apprehension of being governed by a foreigner: but against that apprehension it would have been sufficient to forbid any princess of the royal blood of France to marry a foreign prince, on pain of being excluded from the right of succession; as we find to have been done by a fundamental law of the kingdom of Portugal, from which the house of Braganza derives it's right to the crown, in preference to the issue of an elder daughter so married. And that there was nothing decided, with regard to this question, in the times of Louis le Jeune, so as clearly to establish the exclusion of a daughter of France, either on account of her sex, or by reason of her marriage with a foreign prince, appears from the words of that monarch recited in the text.

P. 116. *These have been very improperly confounded by historians with the Vaudois and Waldenses, who differed but little from the doctrines of the reformed churches in our days: whereas the Cathari were imbued with opinions destructive of true Christianity, if we can give any credit to the accounts that are delivered of their tenets by the best contemporary authors. But even the best, in these points, must be read with doubt and caution.*

V. Joh. Conrad Fuchlini
Dissertat. de
Fanaticis Se-
culo XII in
Angliâ reper-
tis, p. 11, 12.
14, 15.

The Waldenses were posterior to the Hereticks mentioned by William of Newbury; for Waldo, from whom that sect was named, did not begin to make any profelytes to his doctrine till some years after the time when those Germans came into England. The Vaudois, that is, the inhabitants of the

the valleys of Piemont, held the same tenets with the Waldenses, but had professed them long before, as has been proved incontestably by their best historian, *Leger*. As for the Albigenes, I do not find that appellation made use of to denote any Hereticks till the beginning of the twelfth century; but the council of Tours, in the year 1163, made a canon, which says, “A partibus *Tolosæ* damnanda Hæresis dudum emerfit, quæ more cancri paulatim se ad vicina loca diffundens per Gasconiam et alias provincias quamplurimos jam infecit,” &c. And William of Newbury, in the account he gives of these Hereticks, so cruelly punished in England in the year 1166, says, that they were believed to be “ex eorum genere quos vulgo *Publicanos* vocant.” And adds, that those Publicans had spread from *Gascony* into Germany and many other countries. Matthew Paris also gives us the title of one of the canons of the Lateran council held in the year 1179, under Alexander the Third, in these words, “de Hæreticis *Albigensibus* et diversis eorum appellationibus.” And the canon itself says, “quia in *Wasconid, Albegeo, et partibus Tolosanis, et aliis locis, ita hæreticorum (quos alii Catharos, alii Publicanos, alii Paterinos, alii aliis nominibus vocant) invaluit damnanda perversitas,*” &c. From hence it is evident, that those called *Publicani* by William of Newbury were afterwards called Albigenes, because they were found in the Albigeois (*in Albegeo*), and the parts about Toulouse. It likewise appears that *Cathari* was another name given to them. The tenets of these are said to have been nearly the same with those ascribed to the ancient Manichæans. We are told that the foundation of all their errors was a doctrine derived from those Hereticks, that the bodies of men, with

BOOK III.

v. Histoire
Generale des
Eglises Evan-
geliques des
Valles de Pie-
mont.

v. Joh. Con-
radi Fuefili
Dissertat. de
Fanaticis Sec.
xi. in Italiâ
detectis.
Et ejusdem de
Fanaticis Sec.
xii. in Angliâ
detectis.

BOOK III. all the rest of the material and visible universe, were formed by the devil, and that into those bodies he put some spirits, whom, in his rebellion against God, he had led away captive, or seduced to his side; and to redeem whom from that thralldom the *Son* and *Holy Ghost* had been afterwards produced by God from himself. This induced the Manichæans and the Cathari to conclude, that the continuing by propagation the devil's work; human flesh, was a most damnable sin, and therefore they held marriage inconsistent with salvation. Those among them, who were called *perfect*, either lived in celibacy; or, if married, renounced all carnal use of their consorts. But the others, whom they only termed *believers*, were permitted to marry, and, if married, to remain for some time in that state, without renouncing the duties of it; yet under a promise that before the end of their lives they would renounce them, and become *perfect*; as they could not otherwise be saved. And, placing all holiness in a total abstraction from the world and carnal pleasure, they paid no regard to any sacraments, or external means of salvation, but considered whatever was visible and corporeal as unholy and belonging to it's author and ruler the devil. With this account of the tenets of the *Cathari*, or *Puritans*, called also *Publicans* in those days, what we are told by William of Newbury of the answers made by the Germans, who came over into England in Henry the Second's time, upon their examination at Oxford concerning the eucharist, baptism, and marriage, sufficiently agrees; but it seems that Gerard, their teacher, did not explain their opinions concerning the Deity, or the formation of the visible universe by the devil; on which points he might probably be more reserved in his answers, as they were the secrets and mysteries of the sect. Nor would

would the English bishops, to whom their inward doctrines were unknown, press them so closely on these articles, as those who examined them in France, or in Germany, where, the sect being numerous, their secrets were more divulged. It must be observed, that at the time when the great persecution was raised against the Albigenes in the earldom of Toulouse and in Gascony, though some Cathari were among them, yet a great number of others, who had also separated from the communion of the Roman catholick church, Petro-Bruisiens, Henricians, Waldenses, and Vaudois, had gathered together in those parts, and were therefore called Albigenes. Nothing could be more different from the doctrine of the Cathari than that of all these sects, which was much the same with the creed of the Protestant churches in these days. But, to make them more odious, the worst notions of the Cathari were imputed to them all, and many calumnies added, which were really true of none. Not only their opinions were misrepresented, but their actions were traduced. Yet I will not affirm, that the manners of the Cathari were always pure. St. Bernard, reproaching them with their condemnation of marriage, says justly, "*Tolle de ecclesia bonabile connubium et thorum immaculatum, nonne repleas eam concubinariis, incestuosis, seminifluis, molibus, masculorum concubitoribus, et omni denique genere immundorum?*" That such disorders might arise among some of the Cathari, from their denying to themselves the proper indulgence of their natural desires in lawful marriage, I make no doubt. So false a notion of purity must necessarily lead to all kinds of impurity. But Bernard ought to have seen, that his argument was as good against the celibacy of the clergy, which Rome established in his days, as against the practice of these Hereticks

BOOK III.

V. Dissertation. de Fanaticis Sec. XII. in Angliâ detectis.

ticks condemned by him and by Rome. I will only add, that the Cathari, from the best accounts delivered to us of the opinions they held, appear to have differed among themselves not a little in the fundamental article of their faith. For some held two principles, eternal and opposite; others only one, against whom the devil rebelled. The former supposed that the evil principle, whom they called the prince of darkness, in the war he waged against God, whom they called the prince of light, and believed to inhabit in light, as an emanation from his essence, took and carried away with him some part of that light, out of which, joined to darkness, he made the visible world. The latter thought, that God produced all spirits, and all matter, from his own substance; but that the devil, having rebelled, and being thrown out of heaven, had formed the visible world from pre-existing matter, to be governed by himself; and had particularly made the bodies of men to be inhabited by the spirits who were partakers of his guilt, and had shared in his fall. It would be unnecessary and tedious here to enter into all the niceties of the differences among them on this and other points. The desire of accounting for the hardest question in theology, *the origin of evil*, was the source of all their absurdities; and, in their notions of the means of recovering from the evil which appears in the world, they ran into mysticism and fanatick enthusiasm. I will only add, that we are told many persons of quality had come into this sect in the age of which I write.

P. 147. *But before he had received any intelligence of it, or of what had been done to his prejudice by Alexander himself, he had found means, notwithstanding all the vigilance of the government in guarding the ports, to get the pope's mandate, which notified*

notified his legatine power to the bishops of his province, and a copy of the bull of legation itself, delivered, by a person unknown, to the bishop of London, while he was officiating at the high altar, on the feast of St. Paul's conversion, in the year eleven hundred and sixty seven. BOOK III.

There is an unaccountable difference in the date of this mandate with that of the pope's letter to Becket, which contains his commission. The last is dated in October, the former in May. It is certain they both came to him some time before the end of January, in the year 1167; as appears by these words in the 130th Epistle of the first book of Becket's Letters, "Londoniensis jam recepit literas (legationis scilicet) vobis omnibus ostendendas." Now it is said in another letter, that the bishop of London received them from Becket the 25th of January, upon the feast of St. Paul. And by many passages in the foregoing letters it appears, that it could not be written later than the beginning of February, in the year 1167.

See Epist. 129.
135. 163, 164,
165. l. l.

P. 166. *Having built there a stone bridge, which was accounted one of the noblest works of that age.*

According to a late writer on the Antiquities of C. xxiii. the City of Rouen, this bridge was seventy-five French ells in length, and supported by thirteen arches, of which the five middle ones were of a prodigious height, and drew the admiration of all who saw them. But they were too high and too narrow. In the year 1502 three arches fell, and in 1533 two more, after which, others beginning to give way, the bridge became impassable; and it being found too expensive to repair it again with stone, a bridge of boats was erected in 1626, which has since been rendered more perfect, and by rising

BOOK III. rising and falling with the tide, opening easily in the middle to let vessels pass through, and being taken to pieces without difficulty when any repairs are wanting, is very convenient, though not so magnificent as that built by Matilda, all the ruins of which are now entirely demolished.

P. 167. *When he had acquitted himself of that duty, and seen her body interred, as she had desired it might be, in the Abbey of Bec, &c.*

P. 143.

Matthew Paris has delivered to us the following Epitaph on this great lady :

*Ortu magna, viro major, sed maxima partu,
Hic jacet Henrici Filia, sponsa, parens.*

But he names not the writer. Another, said to have been written by Arnulph bishop of Lisieux, is given by Du Moulin, in his History of Normandy.

*Regia Progenies, stirps regia, Caesaris Uxor,
Hic est magna brevi clausa Matilda loco.
Virtutum titulis humani culmen Honoris
Excessit mulier nil muliebris habens,
Septembris decima: regno post regna recepto,
Creditor æternum continuasse diem.*

One can hardly think that the two last of these verses were by the same hand as the former, which, as well as the distich transmitted to us by Matthew Paris, are some of the best of that age.

P. 171. *William of Malmesbury tells us, that King Henry the First, when Robert the Second, Earl of Flanders, arrogantly demanded of him a pension, or annual subsidy of three hundred marks, which the Earl's father had received from William Rufus, returned this answer, " that the kings of Eng-
" land*

"land were not accustomed to pay tribute to the BOOK III.
 "Flemings; &c."

Rymer, in the Preface to his *Fœdera*, blames William of Malmſbury for calling that *tribute*, which was only a payment in conſequence of ſubſidiary treaties. But there was no impropriety in Henry's making the answer reported by that hiſtorian, if a renewal of thoſe treaties was imperiouſly demanded, *quafi pro imperio*, as Malmſbury expreſſes it. He might be willing to pay it as a ſubſidy, when occaſion ſhould require a ſtipulation of that nature, though he would not ſuffer it to be asked or exacted as a *tribute*. Nevertheleſs the Flemiſh annals, and other modern hiſtories, are juſtly cenſured by Rymer, for ſpeaking of theſe ſubſidies as a real tribute paid by ſeveral ſucceſſive kings of England to the earls of Flanders; which is ſufficiently diſproved by the treaties he has publiſhed from our records.

P. 177. *Yet it was believed that he, with Moſes, had the angel of the Lord, that is, the holy ſpirit, going before him in the law, who would always protect him, and not ſuffer him to have another God, or to prefer either rewards, or perſon, or cauſe, to the divine word.*

The word *cauſe* is remarkable. Becket was ſo ſenſible that his *cauſe* with the king would not bear an examination, that he endeavoured to poſſeſs the legate with an opinion, that no regard was to be paid to the merits of *that*, but only to the privilege he laid claim to, of not being queſtioned on this matter, by virtue of the immunities given to the clergy (as he ſuppoſed) by *the divine word*; that is, by the ſcriptures as interpreted by the pope and the canonists. The Latin original

BOOK III. is as follows: "Nominis tamen vestri (virtutum

V. Epist. S.

T. c. Cod.

Vatic. I. ii.

epist. 18.

"rectius dixerim) clarescit opinio, ut angelum

"Domini cum Moise, id est, Spiritum sanctum in

"lege prævium habeatis, qui custodiat vos semper,

"et Deum recentem habere non patiatur, ut verbo

"Dei aut munus, aut personam præferatis, *aut cau-*

Ibidem, epist.

22.

"*sam.*" In like manner he tells the pope in an-

other letter, that, from the tenor of the letters which

he and the king of France had received from his

Holiness, he had rather expected the consolation of

peace, *than the confusion which would arise from the*

decision of questions between him and the king of Eng-

land. "A quo magis sperabamus, juxta tenorem

"mandati vestri ad dominum regem Francorum et

"ad nos emissi, solatium de consolatione pacis, quam

"*confusionem de quæstionum decisione inter regem An-*

glorum et nos."

P. 196. *No regard was paid in Germany to the sentence of excommunication and deposition pronounced against him by Alexander, the summer before.*

V. Essai sur

l'Histoire

Générale,

t. I. p. 293.

Fred. Barb.

Monsieur Voltaire, in his Essay on General History, praises Alexander the Third for his moderation and prudence, because, though he had

often *excommunicated* the emperor, he never went

so far as to *depose* him. His words are these: "Il

"est très remarquable, que, dans ces longues dis-

"sensions, le Pape Alexandre III, qui avoit fait

"souvent cette cérémonie d'excommunier l'em-

"pereur, n'alla jamais jusqu' à le déposer. Cette

"conduite ne prouve-t-elle pas non seulement

"beaucoup de sagesse dans ce Pontiffe, mais une con-

"demnation générale des excès de Grégoire VII?"

But that all this is erroneous appears from two let-

ters written at that time by one well apprised of Alex-

ander's proceedings. John of Salisbury wrote thus

to the bishop of Poitiers: "Fredericus ille schis-

"maticus

"maticus insignis, dum in ecclesiam maliciosius **BOOK III.**
 "et crudelius lævit, *factus est* EX-AUGUSTUS," &c.

And in another letter to one of his friends in Eng- V. Epist.
 land, he says, "Vicarius Petri à Domino constitutus" Tho Becket:
 "super gentes et super regna, *Italos et omnes qui ei* 65. 89.
 (Frederico scilicet) *ex causâ imperii et regni, reli-*

gione jusjurandi tenebantur adstricti, à fidelitate ejus
absolvit, et Italiam jam totam à facie furcentis et
præsentis tantâ felicitate et celeritate excussit, ut in
eâ nihil habere videatur, nisi tortores quos evitat
interdum, et angustiarum, quas evitare non potest,
juge supplicium. Abstulit ei etiam regiam digni-
tatem, ipsumque anathemate condemnavit, et in-
hibuit autoritate Dei, ne vires ulla amodo in bel-
licis congressionibus habeat, aut de Christiano aliquo
viâtoriam consequatur, aut alicubi quiete et pace
gaudeat, donec fructus pœnitentiæ condignos opere-
tur. In quo secutus est exemplum Gregorii septimi, pre-
decessoris sui, qui nostrâ ætate Henricum imperatorem,
ecclesiæ privilegia convellentem, deponens in concilio
Romano simili sententiâ condemnavit." These

proofs are decisive; and there is a further con- Ibidem,
 firmation of them from Alexander himself in a let- Epist. 4.
 ter he wrote some time afterwards to the bishops of
 Rouen and Nevers, his legates to Henry. Speak-
 ing of that prince, he says, "Quod si nec sic
 "resipuerit, personæ suæ, sicut nec Frederico *dicto*
 "imperatorî fecimus, nequaquam parcemus," &c.
 The word *dicto* expresses, that he held Frederick
 to be no longer emperor, but only *so called*. Nor
 was it from any moderation or prudence in him,
 that the sentence of deposition, which he had pro-
 nounced, had not so full an effect against this prince,
 as Gregory the Seventh's had against Henry the
 Fourth, but merely from his want of power to en-
 force it as his predecessor had done.

BOOK III. P. 199. *He had written in the same style to the college of cardinals, &c.*

See Epist. 3.

13, 14, 15, 16,

Several letters relating to this affair are strangely misplaced in the printed edition of them from the Vatican manuscript, being there in the fourth book, instead of the second, to which they plainly belong.

17, 18, 19, 20,
21, 22, 51.

P. 210. *While these negotiations were depending, the earl of Salisbury was surprised and treacherously murdered, on his return from a pilgrimage, by Guy de Lusignan and others of the same family.*

V. Benedic.

abb. p. 443.

vol. ii.

V. Hoveden,
sub ann. 1170.

The abbot of Peterborough ascribes this murder to Geoffry de Lusignan, Guy's brother; but Roger de Hoveden, who has corrected some mistakes in that author, ascribes it to Guy. From other writers it appears that all the lords of that family were concerned in the murder; but it certainly was committed by the hand of Guy, who fled and went to the Holy Land immediately after the fact. William of Newbury, speaking of the daughter of Amalarick, king of Jerusalem, says, "Nam, tempore fratris regis, voto proprio secundas contraxerat nuptias cum homine peregrino, Guidone scilicet quodam Pictavensi, qui à facie regis Anglorum Henrici secundi de Aquitania fugerat, et regi Jerusalem egregie militabat."

P. 224. *The articles were, first, that Henry should renew his homage and fealty for Normandy in the accustomed form.*

Chron. Norm.
& Gervase.

Some authors say, that the young prince Henry, in consequence of this treaty, did homage to Louis for Bretagne, having done it before for Normandy. But it appears by the 66th epistle of the second book of Becket's Letters, and by the 268th of John of Salisbury's printed at Paris in 1611, that King Henry

Henry himself, not his son, did homage for Nor-
 mandy; and there could be no reason to demand BOOK III.
 it for Bretagne of the latter, who had no claim to
 Bretagne, and was not in possession of Normandy,
 under which Bretagne was a fief. This dutchy
 had no dependence either upon Anjou or Maine.

P. 224. *That he should give up the earldoms of Anjou and Maine, and the fealty of the vassals thereof to Prince Henry, his eldest son; who should pay homage and fealty for them to the king of France, and owe nothing more either to his father or brothers, with respect to these earldoms, than merely that which their merit or nature might require.*

The reason of the latter part of this article I take to be, that, whereas the dukes of Normandy had formerly laid claim to Maine, and those of Aquitaine to some districts belonging to Anjou, the young prince was now to hold these two earldoms without any dependence on either of those dutchies, and also free of any claim, which the dukes of Bretagne may have had to any districts therein.

P. 233. *But he replied, " It was true, many of his predecessors were better and greater than he: but every one of them had, in his own time, cut off some things, which raised themselves up against God, though not all. For if they had then entirely eradicated all, he should not be now exposed to this fiery trial, by which being proved, as they had been, and partaking their labour, he might also be found worthy of their praise and reward. Nor, if any one among them had been too cool, or too immoderate in his zeal, was he bound to follow his example, one way or another."* He

BOOK III.

added other arguments to the same purpose, concluding, "that the primitive fathers had suffered martyrdom, because they would not subject the name of Jesus Christ to any other name: nor would he, that he might recover the favor of a man, give up the honor of Christ."

This answer is so much in Becket's style, that I am inclined to believe it is genuine; because, though none of the letters concerning this meeting report either these words, or those of the king to which they were a reply, yet one of them plainly intimates that more was said on both sides than is there told. But what the same historians who mention these particulars add about Becket's disgrace with Louis, on account of his behaviour upon this occasion, and the universal outcry against him, so that even the monks themselves entirely condemned and reproached him for it, I think cannot be true; because the monks in what they wrote on this subject to the pope expressed no disapprobation at all of his conduct, but rather approved it, only saying, that *many pressed the archbishop to comply with the king*. And it can scarce be supposed that they would have omitted to mention a circumstance of so much importance as the French king's displeasure, or that Becket himself would have been silent about it in what he wrote to the pope concerning this conference. Whereas, on the contrary, he seems in that letter to depend entirely upon the protection of Louis, and triumphs in the ascendant which this monarch appeared to him to have gained over Henry. Indeed we are told by the above-mentioned historians, that his disgrace did not continue long; for that, after a few days, Louis repented on a sudden, threw himself at his feet, and begged his pardon. But, not to insist on the great improbability of this account, Becket's letter to the
 pope

V. Epist. 1.
 l. iv.

V. Quadril.
 Gervase.

V. Ep. 12.

pope was certainly written immediately after the BOOK III.
conference; and, even supposing that the king had been reconciled to him before he wrote it, he would undoubtedly have given that pontiff information of so material an event.

P. 256. *But at the same time he tells the pope, that the king now declared, he did not demand of him any account of his administration as chancellor, nor the money he then had received or stood engaged for, but only what he had received that belonged to the crown since he was made archbishop of Canterbury; for which (he says) it was universally known that he had accounted.*

This, I suppose, led Hoveden into the mistake of saying, that Becket had accounted for all the money with which he was charged: an assertion contradicted by all the other contemporary historians, and (what is of more weight) by the letters of that prelate himself.

P. 263. *Or to the judgement of the Gallican church, or the university of Paris:*

The words in the original are, “paratum esse “stare dicto curiæ Domini sui, regis Francorum, “vel iudicio ecclesiæ Gallicanæ, aut *scholarum* “*Parisiensium*.” It may be doubtful whether the term *University* was yet applied to the schools of Paris; but I have used it as conveying the same sense to the reader which that word now imports. And this passage shews, that the reputation of those *schools* was very great in those days.

P. 269. *Nay, such was the inhumanity of the Roman civil laws, even under Christian emperors, that in one of Arcadius and Honorius it is called a special act of imperial mercy to grant to the sons*

BOOK III.

Codicis l. ix.
tit. 8. ad legem
Juliam Majestatis, l. v.

of a traitor their lives; and they are declared thereby incapable of any inheritance, not only from their father, but from any other relation, or of receiving any bequest from a stranger, or of attaining to any honors and dignities in the state.

The words here referred to are these: "*Filii vero ejus, quibus vitam Imperatoriâ specialiter lenitate concedimus (paterno enim deberent perire supplicio in quibus paterni, hoc est, hæreditarii criminis exempla metuuntur), à maternâ, vel avitâ, omnium etiam proximorum hæreditate, ac successione, habentur alieni, testamentis extraneorum nihil capiant, sint perpetuo egentes et pauperes, infamia eos paterna semper comitetur, ad nullos prorsus honores, ad nulla sacramenta perveniant. Sint postremo tales, ut his perpetuâ egestate sordentibus sit et mors solatium et vita supplicium.*" Yet even in the same Code of Justinian; from whence I have cited the foregoing passage, an imperial constitution is to be found of the same emperors, containing maxims entirely opposite to those of the former, and agreeable to the justice and lenity of a good government.

Codicis l. ix.
tit. 47. 22. 1
De Pœnis.

"*Sancimus ibi esse pœnam ubi et noxia est. Pro-
pinquos, notos, familiares procul à calumniâ
summovemus, quos reos sceleris societas non
facit. Nec enim adfinitas vel amicitia nefarium
crimen admittunt. Peccata igitur suos teneant
auctores; nec ulterius progredjatur metus, quam
reperiatur delictum. Hoc singulis quibusque
judicijs intimetur.*" But there is a doubt whether this abrogated the former law, or extended to cases of treason. Some of the best civilians assert it did not, but only to other capital crimes. Indeed the laws of treason, or *læsæ majestatis*, made under the emperors, are by much the worst part of the civil law.

P. 273. *The bishop of Norwich, though expressly* BOOK III.
forbidden by particular orders from the king, published a sentence of excommunication against the earl of Chester and several others, conformable to injunctions laid upon him by Becket, even in the presence of the officers who brought the prohibition.

I make no doubt that this prelate would have been punished for an act so highly contumacious (whatever good reasons may have determined the king to connive at the disobedience of the other prelates to his orders relating to the articles he had sent over), if the bishop of London had not been also involved in the offence of publishing the censures fulminated by Alexander against the earl of Chester; as we find he was by an article added to those abovementioned, which the reader may see in the appendix to this book. It appears from thence that both these prelates were declared to be *in misericordiâ regis*, at the mercy of the king, for having, in obedience to a mandate from the pope, put the lands of the earl of Chester under an interdict, and published the sentence of excommunication, which the pope had past against him, without leave of the king's justices, against the statutes of Clarendon. That the bishop of London should concur in such an act is surprising; but his merit to the king in other parts of his conduct atoned for this; and, to avoid an appearance of partiality in a matter of justice, the same pardon was extended to the bishop of Norwich.

P. 295. *Upon the report of the commissioners, Henry turned out at once almost all the sheriffs in the kingdom, and their bailiffs, or deputies, for oppressing his people, &c.*

BOOK III.

P. 3. sub anno
1170.

The words of Benedict, abbot of Peterborough, in his History of the Life of King Henry the Second, are these: “ Eodem anno rex tenuit *curiam suam* in solemnitate Paschali apud Windeshovres (Windfor), cui festo Paschali interfuerunt Wil- lelmus rex Scotiæ, et Dávid frater ejus, *et fere omnes nobiliores et majores Angliæ, tam episcopi, quam comites et barones*. Peraçtâ igitur solem- nitate Paschali, perrexit inde Lundonias, et ibi *magnum celebravit concilium* de coronatione Henrici filii sui majoris, *et de statutis regni sui: et ibidem deposuit fere omnes vicecomites Angliæ, et ballivos eorum, pro eo quod male tractaverant homines regni sui. Et unusquisque vicecomitum et ballivi eorum plegios invenerunt de se ipsis, quod ad rectum starent et ad adreſciandum D. regi et hominibus regni quod eis adreſciare deberent de prisis suis. Et postea fecit rex omnes homines regni sui, scilicet, comites, ba- rones, milites, francos tenentes, et etiam villicanos, per singulos vicecomitatus jurare, tactis sacro-sanctis evangeliis, quod verum dicerent,”* &c. By this account it seems that the inquisition was made after the parliament held at London, wherein the sheriffs were turned out for the malversation and oppression of which they had been guilty; which supposes that their punishment preceded the enquiry into their guilt. But Gervase of Canterbury relates the facts in their proper order. “ Rex autem, *convocatis optimatibus suis*, instituit abbates et clericos, comites et milites, qui circumirent ter- ram, &c. *et hæc inquirere debuerunt*. In primis exigent barones errantes vadium et plegium ab omnibus vicecomitibus,” &c. And afterwards (when he has given all the articles of the enquiry, which the reader may see in the appendix to this vo- lume), “ *Factâ autem hac inquisitione mirabili omnes* “ *jussi*

" iusti sunt ut essent coram rege in civitate Londonia BOOK III,
" xviii kal. Julii, &c. Convenerunt interim die statuto,
" ex mandato regis, ad Londoniam totius Anglia epi-
" scopi, abbates, comites, barones, vicecomites, prapo-
" suli, aldermanni, cum fidejussoribus suis, timentes
" valde omnes." This is not a full description of
 all the members of the parliament, but only of those
 who were ordered to appear with their sureties, *cum*
fidejussoribus suis, being all such as had exercised
 some kind of judicature. But it appears that the
 enquiry was ordered in one parliament, and the
 proceedings upon it carried on in another. The
 abbot of Peterborough, in the passage before-recited,
 says, the king held the great council at London,
" de coronatione Henrici filii sui majoris, et de
" statutis regni sui." We have no account of any
 statutes made in that parliament; but from these
 words one should imagine that some were made.
 Probably the meeting at Easter, in which the en-
 quiry was ordered, had not been so full and general
 as this at London. The abbot says afterwards,
 that the proceedings on this matter proved in the
 issue detrimental to the nation, *" quia, post factam*
" inquisitionem, rex reposuit quosdam vicecomitem illo-
" rum iterum in locis suis; et ipsi postea multo cru-
" deliores extiterunt quam antea fuerunt." If this
 was true in any instances, it may have arisen from
 the disorder and confusion of the following civil
 war, in which some of those, who had been turned
 out from their shrievalties, might, in recompence
 for services done to the king against the rebels, be
 restored to their offices. But Roger Hoveden, who
 mentions the turning out of the sheriffs, takes no
 notice of this circumstance; nor is it mentioned
 by any other contemporary author.

BOOK III. P. 296. *When he had thus re-established the good order of the state, and made his people the best reparation in his power for what they had suffered by his absence, he proposed to his parliament, which had been summoned to meet him on the feast of St. Barnabas, the affair of his son's coronation.*

In relating these transactions concerning the coronation, Gervase of Canterbury confounds the times, as if many things, which were done at considerable intervals, had happened on the same day. He also seems to suppose, that the members of this parliament were quite unapprised of the intention of Henry to cause his son to be crowned, till he mentioned it to them in form: but there are many clear indications in the letters to and from Becket, that this design was made publick before he came from France. No notice is taken by Gervase of the sheriffs being turned out; but, on the contrary, one would think, from what he says on the subject, that all offenders convicted on this extensive inquisition had gone off unpunished, in which he is contradicted by Benedictus Abbas, and by Roger de Hoveden.

P. 330. *Henry was now returned into Normandy, where he was seized with an illness so violent, that thinking himself in danger he made his will, &c.*

It was about the feast of St. Laurentius (the 10th of August) that Henry fell sick of this illness, to which Rapin Thoyras ascribes his reconciliation with Becket, which was made on the 22^d of July in the same year. So inaccurate is that author in the account he gives of this reign.

P. 353. *That he was very unfortunate to have maintained so many cowardly and ungrateful men in his*
his

his court, none of whom would revenge him of the injuries he sustained from one turbulent priest. BOOK III.

These are a translation of the words of King Henry, as reported in the *Quadrilogus* and *Gervase of Canterbury*. But Edward Grime (or Grim), in his manuscript contemporary history of this event, preserved in the library of the Royal Society at London, reports them thus: "*Inertes ac miseros homines enutrivit et erexi in regno meo, qui nec fidem ferunt domino suo, quem à plebeio quodam clerico tam probrose patiuntur illudi.*" MSS. fol. 36.

P. 356. The words he repeated there, as spoken by Henry, even admitting that they were given without any exaggeration, would not authorise the construction he now put upon them.

He there says only that Henry had promised in V. E. 45. general terms to redress the wrong that had been done to the church of Canterbury, and make such an answer to those who had betrayed the archbishop and him, as the deserts of traitors required. But these words rather reserved to Henry himself the sole right and power of doing him justice with regard to that affair. Nevertheless the earl of Blois, in a letter he wrote to the pope on the subject of Becket's death, affirmed to his Holiness, "*that the king had, in his bearing, upon the day of his reconciliation with Becket, granted him free and full power to pass sentence upon the bishops who had presumed to crown the young king, at his own and the pope's discretion.*" This testimony is strong: but how can one account for Becket's silence upon it in his letter to the pope, wherein he relates the particulars of what had passed on that day? He says there, that the conversation he had with the king concerning that matter, and of which he gives a very particular detail to his Holiness, was apart from

BOOK III: *from all the company.* “Et habitis paucis sermonibus, *solis nobis presentibus cum domino Senonensi,*
 V. Epist. 43. “*nos, illo divertente, stupentibus universis, traxit in*
 l v. Append. “*partem.*” The earl of Blois therefore could not possibly have heard this conversation; nor does the archbishop take notice to Alexander of any other on this subject. I should therefore suppose, that the earl, who stood at a distance, seeing Becket throw himself at the feet of the king, and being afterwards told by Henry, that this action was the effect of that prelate’s gratitude for the promise he had made, of doing justice to him and his church concerning the affair of the young king’s coronation, gave this sense to the words, and repeated them upon memory, not very accurately; which might naturally happen at such a distance of time, and when his mind was inflamed with anger upon the murder of Becket. For, if Henry had really spoken these words, his rage against Becket for having done what he had given him leave to do would be quite unaccountable, as well as that prelate’s continued silence upon it through his whole correspondence.

*End of the Notes on the THIRD BOOK of the History
 of the Life of King HENRY the Second.*

A P P E N D I X

TO THE

T H I R D B O O K

O F T H E

History of the Life of King HENRY
the Second.

N^o I.

BOOK III.

Extract from the Remonstrance of the Parliament of Paris to the King of France, of the 9th of April 1753.

This refers to
the first page
of vol. iv.

DES Ecclesiastiques redoublent leurs efforts pour affermir un système d'indépendance, dont les fondemens ont été posés il y a près de mille ans; dont les principes ont été liés, développés, et suivis, de siècle en siècle, dans la conduite de plusieurs ministres de l'église; et dont les effets inevitables, sans la vigilance et la fermeté des magistrats, seroient l'abus le plus enorme de votre auguste nom, ainsi que de la religion, l'aneantissement du bon ordre et du repos public, des juridictions réglées, des loix, de votre souveraineté même, et, par conséquent, de l'état entier.

* N^o II.

BOOK III.

N^o II.

This refers to
page 28. and
page 83.

Constitutions of Clarendon, from the Cottonian Manuscript of Becket's Life and Epistles, which is probably the most ancient and correct Copy of those Statutes.

MS. Cotton. Claud. B. fol. 26.

A N N O ab incarnatione Domini millesimo centesimo sexagesimo quarto, papatus Alexandri anno quarto, illustrissimi regis Anglorum Henrici II. anno decimo, in presentia ejusdem regis, facta est ista recordatio vel recognitio cujusdam partis consuetudinum, et libertatum, et dignitatum antecessorum suorum, videlicet regis Henrici, avi sui, et aliorum, quæ observari et teneri debent in regno. Et propter dissensiones et discordias, quæ emerferant inter clerum et justicias domini regis, et barones regni, de consuetudinibus et dignitatibus regni, facta est ista recognitio coram archiepiscopis et episcopis et clero, et comitibus et baronibus et proceribus regni. Et easdem consuetudines recognitas per archiepiscopos et episcopos, et comites et barones, et per nobiliores et antiquiores regni, Thomas Cantuariensis archiepiscopus et Rogerus Eboracensis archiepiscopus, et Gilbertus Londoniensis episcopus, et Henricus Wintoniensis episcopus, et Nigellus Eliensis episcopus, et Wilhelmus Norwicensis episcopus, et Robertus Lincolnensis episcopus, et Hilarius Cicestrensis episcopus, et Joselinus Sarisberienensis episcopus, et Richardus Cestrensis episcopus, et Bartholomeus Exoniensis episcopus, et Robertus Herefordensis episcopus, et David Menevensis episcopus, et Rogerus Wigornensis

ensis electus, concesserunt, et in verbo veritatis viva voce firmiter promiserunt, tenendas et observandas domino regi et heredibus suis, bona fide, et absque malo ingenio, presentibus istis: Roberto comite Leghecestriæ, Reginaldo comite Cornubie, Conano comite Britannie, Johanne comite de Augo, Rogerio comite de Clara, comite Gaufrido de Mandevilla, Hugone comite Cestrie, Wilhelmo comite de Arundel, comite Patricio, Wilhelmo comite de Ferrariis, Richardo de Luci, Reginaldo de Sancto Walerico, Rogerio Bigod, Reginaldo de Warennis, Rogerio de Aquila, Wilhelmo de Braosia, Richardo de Camvilla, Nigello de Mobrai, Simone de Bello-Campo, Hunfrido de Boun (Bohun), Matheo de Herefordia, Waltero de Meduana, Manassero Biseth dapifero, Wilhelmo Malet, Wilhelmo de Curci, Roberto de Dunestanvilla, Joselino de Lanvalis, Wilhelmo de Caisneto, Gaufrido de Ver, Wilhelmo de Hastings, Hugone de Moravilla, Alano de Nevilla, Simone filio Petri, Wilhelmo Maudut camerario, Johanne Maudut, Johanne Marischallo, Petro de Mara, et multis aliis proceribus et nobilitatibus regni, tam clericis quam laicis.

Consuetudinum vero et dignitatum regni recognitionum quædam pars presenti scripto continetur. Cujus partis capitula hæc sunt.

(Incipiunt consuetudines quas avitas vocant *.)

I. De advocacione et præsentatione ecclesiarum, si controversia emerferit inter laicos, vel inter clericos et laicos, vel inter clericos, in curia domini regis tractetur vel terminetur.

II. Ecclesiæ de feudo domini regis non possunt in perpetuum dari sine assensu et concessione ipsius.

III. Clerici rectati, et accusati de quâcunque re, summoniti a justitia regis venient in curiam ipsius,

* These words seem to have been inserted by the Monk who made the transcript.

BOOK III. responsuri ibidem de hoc unde videbitur curiæ regis quod sit ibi respondendum, et in curia ecclesiastica unde videbitur quod ibidem sit respondendum, ita quod justitia regis mittet in curiam sanctæ ecclesiæ ad videndum qua ratione res ibi tractabitur. Et si clericus convictus vel confessus fuerit, non debet de cætero eum ecclesia tueri.

IV. Archiepiscopis, episcopis, et personis regni non licet exire de regno absque licentiâ domini regis. Et si exierint, si domino regi placuerit, assecrurabunt quod nec in eundo, nec in moram faciundo, nec in redeundo perquirent malum vel dampnum regi vel regno.

V. Excommunicati non debent dare vadium ad remanens, nec præstare juramentum, sed tantum vadium et plegium standi iudicio ecclesiæ ut absolvantur.

VI. Laici non debent accusari nisi per certos et legales accusatores et testes in præsentia episcopi, ita quod archidiaconus non perdat jus suum, nec quicquam quod inde habere debeat. Et si tales fuerint qui culpantur, quod non velit vel non audeat aliquis eos accusare, vicecomes requisitus ab episcopo, faciet jurare duodecim legales homines de vicineto, ceu de villa, coram episcopo, quod inde veritatem secundum conscientiam suam manifestabunt.

VII. Nullus qui de rege tenet in capite, nec aliquis dominicorum ministrorum ejus, excommunicetur, nec terræ alicujus eorum sub interdicto ponantur, nisi prius dominus rex, si in terra fuerit, conveniatur, vel justitia ejus, si fuerit extra regnum, ut rectum de ipso faciat, et ita, ut quod pertinebit ad curiam regiam ibidem terminetur, et de eo quod spectabit ad ecclesiasticam curiam ad eandem mittatur, ut ibidem terminetur.

VIII. De appellationibus, si emerferint, ab archidiacono debent procedere ad episcopum, et ab
episcopo

episcopo ad archiepiscopum. Et si archiepiscopus defecerit in iusticia exhibenda, ad dominum regem perveniendum est postremo, ut præcepto ipsius in curia archiepiscopi controversia terminetur, ita quod non debet ulterius procedere absque assensu domini regis.

IX. Si calumpnia emerferit inter clericum et laicum, vel inter laicum et clericum, de ullo tenemento, quod clericus ad eleemosinam velit attrahere, laicus vero ad laicum feudum, recognitione duodecim legalium hominum per capitalis iusticiæ regis considerationem terminabitur, utrum tenementum sit pertinens ad eleemosinam, sive ad feudum laicum, coram ipsa iusticia regis. Et si recognitum fuerit ad eleemosinam pertinere, placitum erit in curia ecclesiastica; si vero ad laicum feudum, nisi ambo tenementum de eodem episcopo vel barone advocaverint, erit placitum in curia regia. Sed, si uterque advocaverit de feudo illo eundem episcopum vel baronem, erit placitum in curia ipsius. Ita quod propter factam recognitionem seisinam non amittat qui prior seisinus fuerat, donec per placitum dirationatum fuerit.

X. Qui de civitate, vel castello, vel burgo, vel dominico manerio domini regis fuerit, si ab archidiacono vel episcopo super aliquo delicto citatus fuerit unde debeat eisdem respondere, et ad citationes eorum satisfacere noluerit, bene licet eum sub interdicto ponere: sed non debet excommunicari priusquam capitalis minister domini regis ville illius conveniatur, ut iusticiet eum ad satisfactionem venire. Et si minister regis inde defecerit, ipse erit in misericordia domini regis, et exinde poterit episcopus accusatum ecclesiastica iusticia cohibere.

XI. Archiepiscopi, episcopi, et universæ personæ regni qui de rege tenent in capite, habent possessiones suas de domino rege sicut baroniam, et

BOOK III. inde respondent iusticiis et ministris regis, et secuntur [sequuntur] et faciunt omnes rectitudines et consuetudines regias, et, sicut barones cæteri, debent interesse iudiciis curiæ domini regis cum baronibus, usque perveniatur in iudicio ad diminutionem membrorum vel mortem.

XII. Cum vacaverit archiepiscopatus, vel episcopatus, vel abbatia, vel prioratus de dominio regis, debet esse in manu ipsius, et inde percipiet omnes redditus et exitus, sicut dominicos. Et cum ventum fuerit ad consulendum ecclesiæ, debet dominus rex mandare potiores personas ecclesiæ, et in capella ipsius domini regis debet fieri electio assensu domini regis et consilio personarum regni quas ad hoc faciendum vocaverit. Et ibidem faciet electus homagium et fidelitatem domino regi, sicut ligio domino, de vita sua, et de membris, et de honore suo terreno (salvo ordine suo) priusquam sit consecratus.

XIII. Si quisquam de proceribus regni defortia- verit archiepiscopo, vel episcopo, vel archidiacono, de se vel de suis iusticiam exhibere, dominus rex debet eos iusticiare. Et si forte aliquis diffortia- ret D. regi rectitudinem suam, archiepiscopi et episcopi et archidiaconi debent eum iusticiare ut dom- regi satisfaciat.

XIV. Catalla eorum qui sunt in forisfacto regis non detineat ecclesia vel cimiterium contra iusticiam regis, quia ipsius regis sunt, sive in eccle- siis, sive extra fuerint inventa.

XV. Placita de debitis, quæ fide interposita debentur, vel absque interpositione fidei, sunt in iusticiâ regis.

XVI. Filii rusticorum non debent ordinari abs- que assensu domini de cuius terrâ nati esse digno- scuntur.

Facta est etiam prædictarum consuetudinum et dignitatum recordatio regiarum à præfatis archiepiscopis, et episcopis, et comitibus, et baronibus, et nobilioribus et antiquioribus regni, apud Clarendonam, quarto die ante purificationem S. Mariæ, perpetuæ virginis, domino Henrico, cum patre suo domino rege, ibidem præfente.

Sunt autem et aliæ multæ et magnæ consuetudines et dignitates S. matris ecclesiæ, et domini regis, et baronum regni, quæ in hoc scripto non continentur. Quæ salvæ sint S. ecclesiæ, et D. regi, et hæredibus suis, et baronibus regni, et in perpetuum inviolabiliter observentur.

No. III.

Bibl. Cotton. Claudius, B. ii. 3. folio 92.

Thome Cantuariensi Archiepiscopo, Gillebertus Londoniensis Episcopus 126.

This refers to
vol. iv. page
125. and
other passages
in this History.

VENERABILI Domino et Patri in Christo
Thome Cantuariensi Archiepiscopo, Gillebertus Londoniensis ecclesiæ minister, salutem.

Multiplicem nobis et diffusam late materiam, profunde Pater, et copiose rescribendo proponitis, et nos, licet super appellatione ad dominum Papam prosequenda sollicitos, vestre tamen sublimitati rescribere gravi quidem et nos graviter urgente necessitate compellitis. Emissis enim sparsim elogiis nos de toto fratrum nostrorum collegio seorsum ponitis ad convitia, ut singulariter in nos, etsi immeritos, ignominiosa congeratis et probra. Sobrii sensus hominem, gravitatis reverende personam, magistrum, ratione prelationis et dogmatis, veritati reverenter obnoxium, mirum est ad verba veritatis

BOOK III. exarisse tam graviter, et, velut evocatum ad coleras, innoceptiam filii piæ patri consulentem non solum non admisisse, sed et ipsius opinionem nota quadam malitie, cujus sibi minime conscius est, ejus non id exigente merito, resperisse: unde, cum ecclesiam Dei subvertere, fas nefasque confundere, montem illum, qui ecclesia et columpna Dei viventis est, non sano capite velle dejicere, ad ea que vestra sunt ambisse, et quod ab his obtinendis repulsi fuerimus, ob id vestram ecclesieque Dei pacem temere perturbasse, in bello domini terga dedisse, emissis scriptis publice denotemur, difficile est ut fileamus, ut hanc adversum nos opinionem, vel a presentibus admitti, vel indefensam future posteritati transmitti, confessionem innuente silentio, permittamus. Cum sit itaque malorum radix et origo cupiditas, ne nos hujus suspectos habeant quibus prava suadentur et facili, nos hinc jubet necessitas exordiri. Ait apostolus, Quis scit hominum occulta hominis, nisi spiritus hominis qui est in ipso? Latent quidem homines occulta hominum, et abyssum cordium de celo Dominus intuetur. Ipsum ignota non transeunt, occulta non fallunt. Est enim sermo Dei vivus et efficax, penetrabiliorque omni gladio ancipiti: nec est ulla creatura invisibilis in conspectu ejus. Ipsi et coram ipso loquimur. Sub ipsius examine non vana aut ficta, sed que veritate conscientie subnixæ sunt, confidenter et liberè respondemus; asserentes utique, quoniam ad ea que vestra sunt ambitionis stimulos, nunquam vel momento sensimus. Honorem hunc nulli unquam invidimus. Nulli ad hanc gratiam munere vel obsequio, gratiæ vel favore, deservivimus, ut ad hujus fastigia culminis accessum nobis sacrilegum, quibuscunque modis aut adminiculis, aptaremus. Quis hoc melius, pater, quam vos, quis poterit liquidius estimare, quem ipsius ecclesie tunc temporis archidiaconum,

diaconum, et domini nostri regis electum e milibus, non consiliarium solummodo, sed cor fuisse constat et consilium; sine quo non quidem facile, sed nec erat possibile, ad hec omnino quempiam obtinere progressum? nobis itaque quam apud vos gratiam collocavimus? num per nos, aut per alium, vestram unquam gratiam xeniis aut obsequiis attemptavimus, ut ad quod nisi per vos attingi non poterat in id ope vestra sublevaremur? Hinc vestram, pater, justum est metiri prudentiam, quales nos aliis exhibuerimus, qui nec vestre celsitudini, quam rerum summa sequebatur, ad turpe supplicare compendium nec aliquâ favoris gratiâ unquam vel in modico blandire curavimus. Rem hoc fine concludimus, hoc nobis onus ipsi confidenter imponimus, ut sit nobis illa die repositum, si nos hujus culpe conscios in aliquo reprehendit cor nostrum. Non nostram itaque, pater, non nostrorum in vestra promotione repulsam planximus. Illo quidem die non nostra querere, sed que Domini nostri Jesu Christi; non nobis, sed ejus nomini in omnibus gloriam exhiberi, toto cordis affectu desideravimus. Attendentes rem secus fieri, condoluimus. Cernentes jus ecclesie subverti, fas nefasque confundi, montis illius magni quem dicitis deorsum cacumen inflecti, sponsam Christi libertate pristinâ, sibi semper usque tunc observatâ reverenter et exhibitâ, inverecundè privari, altis utique in Domino suspiriis ingemuimus, et dolorum quos nunc experimur assidue prelibationes et presagia certâ quâdam divini spiritus insinuatione, multi quidem in ecclesiâ Dei presensimus. Oportebat equidem ejus tunc meminisse quod scriptum est, "Difficile est ut bono peragantur exitu, que malis fuerint inchoata principii." Ad ipsa quidem si recurramus initia, quis toto orbe nostro, quis ignorat, quis tam resupinus ut nesciat, vos; certâ licitatione propositâ,

BOOK III. cancellariam illam dignitatem multis marcarum milibus obtinuisse, et aure hujus impulsu in portum Cantuariensis ecclesie illapsum ad ejus tandem sic regimen accessisse; quam pie, quam sancte, quam canonicè, quo vite merito id exigente, multis quidem notum est, et stilo quodam doloris intimi bonorum est cordibus exaratum. Diem suum clauferat ille bonus et bone memorie pater noster, Theobaldus ecclesie Cantuariensis dudum archiepiscopus; et vos, qui cordis oculos in casum hunc pervigiles minime clauderatis, confestim à Normanniâ celeres in Angliam reditus habuistis. Ex intervallo directus est a domini nostri regis latere vir magnus, et sapiens moderator regni, Ricardus Luci, quem laqueis anathematis innodatum hodie dignè sic merito honorastis. Regis hic ad omnes habebat imperium, ut Cantuarienses monachi et ecclesie ipsius episcopi suffraganei vos expeterent, vos eligerent, vos in patrem et pastorem, negotium nullâ deliberationum morâ protrahentes, assumerent; alioquin iram regiam non unquam declinarent; verum se regis hostes et suorum, procul dubio, ipsis rerum argumentis agnoscerent. Quod loquimur experto novimus, attendentes ecclesiam Dei suffocari graviter, ob quod in ejus libertatem quodammodo proclamavimus, verbum ilico proscriptionis audivimus, et exilio crudeliter addicti sumus; *nec solum persona nostra, sed et domus patris mei, et conjuncta nobis affinitas, et cognatio tota. Hoc quidem calice et aliis propinatum est.* Scriptum vero est; Leo rugiet, quis non timebit? Et illud, Ut rugitus leonis, sic terror regis, Quod tanto voluntatis impetu precipiebat rex, quod effectum compleri tanto nuncio perurgebat, in quod cordis oculos vos omnes iniecisse noverant, in quod omnes vestri minis et terroribus, promissis et blanditiis, vigilanter instabant, quis negaret? Torrenti huic voluntatis

et precepti regii quis resisteret? Stabat regni gladius in manu vestra, si in quem torvos oculos habebatis, terribilis in hunc et importabilis ire quodam velut igne coruscans: Ille quidem gladius quem in sancte matris ecclesie viscera vestra manus paulo ante immerserat, cum, ad trajiciendum in Tolosam exercitum, tot ipsam marcarum milibus aperuistis. Qui ne limatus dentio per vos aptaretur ad vulnera, jussis obtemperavit ecclesia, et, declinando que metuit, simulavit se velle quod noluit. O! quam longè erant omnium corda bonorum ab hoc ipso, quam dissidentia vota! Metu tamen et impressione completum quod interminatione dirisimâ fuerat imperatum. Sic in ovile ovium, non utique per ostium, sed ascendens aliunde, introistis; et hoc, pater, introitu libertatem ecclesie, tot sibi temporum conservatam curculis, ademistis. Que si ejus vita est, ut scribitis, ipsam utique exanimem reddidistis. Deus bone! quis horror illa die, quis omnes horror invasit, cum prognosticum illud de more conspectum et circumstantium oculis est oblatum: illud, inquam, prognosticum, quod, in futuri casus indicium, evangelistâ Matthæo quasi vaticinante, prolatum est! At enim Dominus ficulno non habenti fructum, Nunquam ex te fructus nascatur in sempiternum; et arefacta est continuo. Oportuisset igitur illo die non recta mandanti principi respondisse, quod oportet Deo obedire magis quam hominibus. Illo utinam die corda nostra plene timor ejus occupasset, qui potest animam in gehennâ perdere, et non solum corpus occidere. Quod quia secus actum est, parit nobis enormitas hæc erubescencia confusionem, confusio penitentiam, que condignam inferet opem, ferente Domino satisfactionem; adeo ut in maxillis nostris juges lacrimæ perseverent, donec convertat Dominus captivitatem Syon, et consoletur merentes in Jerusalem,

falem, et clementie reducat oculos in desolatos
 Jerusalem. Interim, ut quod actum est currente
 stilo prosequamur, sublimationis vestre quis fructus
 extiterit audiamus. A pio rege nostro suscepto
 regni gubernaculo, ad illum usque diem ecclesia
 quidem sancta altâ pace floruerat, excepto quod,
 ut diximus, ad instaurandum in Tolosam exercitum
 manus vestras nimis in se graves agnoverat. De
 cetero, sub bono principe cuncta gaudebant, jocun-
 dissimè letabantur universa; regnum sacerdotio
 devotum sanctè prestabat obsequium, et sacerdotio
 firmissimè fulciebatur ad bonum omne regis im-
 perium. Exercebantur in ecclesiâ gladii duo,
 devoto Domino Jesu famulantes obsequio. Nec
 sibi stabant ex adverso, nec tendentes in contrario
 repugnabant alterutro. Unus erat populus, et,
 ut scriptum est, unius labii, studens peccata per-
 sequi, gaudens vitia fortiter eradicari. Hec regni
 fuit et ecclesie pax; alternâ sic gratiâ fovebantur,
 et unanimi voluntate jungebantur. In vestrâ vero
 promotione gratiarum sperabamus et expectabamus
 augmenta: et ecce, peccatis exigentibus, illico
 turbata sunt universa. Virtus est, peccato, cum
 exsurgit, occurrere, mentisque sinistros fetus ad
 petram, que Christus est, statim, cum nascuntur,
 allidere. Oportebat itaque vestram providisse pru-
 dentiam, ne dissensiones inter regnum et vos pau-
 lulum in immensum excreverent, ne de scin-
 tilla tenui in multorum perniciem tantus ignis
 exurgeret. Actum secus est, et ob causas, quas
 enumerare longum est, dissensiones adaucte sunt
 inflammata est ira, et odium fortiter obfirmatum.
 Hec causa fuit, hinc emerfit occasio, cur ad
 quirendas dignitates regias, et in commune
 commemorandas, suum dominus rex animum ap-
 plicaverit et consilium. Quarum observatio cum
 a nobis, et a suffraganeis ecclesie vestre exi-
 geretur

geretur episcopis, eo quod in quibusdam earum ecclesie Dei videbatur libertas opprimi, assensum dare recusavimus, preterquam his que salvo honore Dei et ordine nostro poterant observari. Exigebat instanter dominus noster rex observationes earum absolute sibi a nobis repromitti. Sed quod libertati repugnabat ecclesie et domine pape fidelitati, a nobis nequaquam potuit optineri. Ob causam hanc coacti sunt ceteri, et convocata concilia. Quid meminisse opus est que sunt acta Londoniis, que denuo Oxenefordie? que gesta sunt Clarendonie ad memoriam revocemus. Ubi continuato triduo id solum actum est, ut observandarum regni consuetudinum et dignitatum a nobis fieret absoluta promissio. Ibi quippe vobiscum stetimus quem in Domini spiritu stare fortiter estimabamus. Stetimus quidem immobiles, stetimus imperterriti, stetimus in fortunarum dispensium, in cruciatum corporum, in subeundum exilium, subeundum quoque, si sic Dominus permisisset, et gladium. Quis unquam pater filios in sua plus habuit confessione concordēs? quis unquam plus unanimes? Inclusi eramus omnes conclavi uno. Die vero tertio, cum jam regni principes et omnes quidem nobiles in summas coleras exarsissent, facto quidem fremitu et strepitu, conclave quo sedebamus ingressi, rejectis palliis, exercitisque brachiis, nos taliter allocuti sunt, "Attende, qui regni statuta contemnitis, qui regis iussa non suscipitis. Non nostre sunt manus iste quas cernitis, non nostra brachia, non hec demum corpora nostra: Verum domini nostri regis hec sunt, ad omnem ejus nutum, ad omnem ejus ulciscendam injuriam, ad omnem ejus voluntatem, quocunque fuerit, jam nunc applicari promptissima. Ipsius mandatum, quodcunque fuerit, ex sola nobis voluntate ejus erit justissimum. Revocate consilium, inclinate animos ad preceptum, ut decline-

BOOK III.

tis, dum fas est, quod jam non poterit evitari periculum.¹ Quid ad hec? Quis fugit? Quis terga vertit? Quis animo fractus est? Vestra nobis exprobratur epistola, quod in die belli conversi sumus, quod ex adverso non ascendimus, quod nos murum pro domo Domini non opposuimus. Judicet Dominus inter nos: Ipse judicet ob quem stetimus, ob quem ad minas principum flecti nequivimus: Judicet ipse quis fugerit, quis in bello desertor extiterit. Stetit præcul dubio vir nobilis, et spiritus in Domino constantissimi, Wintoniensis Henricus, Stetit Eliensis Nigellus. Stetit Lincolnienfis Robertus, Cycestrensis Hylarius, Saresberienfis Jocelinus, Exoniensis Bartholomeus, Cestrensis Ricardus, Wigornienfis Rogerus, Herefordensis Robertus, Londonienfis Gillebertus. His omnibus percussor defuit. Hii itaque, temporalia reputantes ut stercora, pro Christo et ecclesiâ exposuerunt se et sua. Dicatur itaque quod verum est; fiat sub sole quod presentibus nobis et cernentibus actum est. Terga dedit dux militie, ipse campi ductor aufugit; a fratrum suorum collegio simul et consilio dominus Cantuariensis abscessit, et, tractatu seorsum habito, ex intervallo reversus ad nos, in hec verba prorupit, *Est domini mei voluntas ut pejerem, et ad presens jubeo, et incurro perjurium, ut potero penitentiam acturus in posterum.* Auditis his, obstupuimus, et, mutuis herendo conspectibus, ad lapsum hunc, a summo, ut estimabamus, virtutis et constantie viro, suspirantes ingemuitus. Non est apud Dominum, Est et non; nec ejus sperabamus sic moveri posse discipulum. Languente capite, languent cito cetera membra, et ipsius infirmitas ad cetera statim membra dilabitur. Ipse quod exigebatur annuens, et dignitates regias et antiquas regni consuetudines, antiquorum memoriam in commune propositas et scripto commendatas, de cetero se domino nostro regi fideliter observaturum in verbo veritatis absolute promittens,

promittens, in vi nobis obedientie precepit, spon-
 sione simili nos obligare. Sopita est hoc sine
 contentio. Sacerdotio sic est pax conciliata cum
 regne. Descendit Israel in Egiptum, unde cum
 multâ gloriâ legitur postmodum ascendisse. Nobis
 quoque spes magna refederat, id quod dominus
 noster rex ad tempus ira motus exegerat, sedato
 ipsius animo, ad Dei gloriam et ipsius honorem,
 in bonum denuo esse reformandum. Invidit paci
 tenere pacis ille turbator pristinus: et qui, procellis
 enavigatis, sperabamus tenere tum portum, aquilonis
 ecce flatibus compellimur in profundum. Recens
 erat illa in verbo veritatis regi facta promissio, vos
 nisi ab eo impetratâ licentiâ non discessurum a
 regno. Scriptum est, "Verba sacerdotis comitem
 "semper habeant veritatem." Illud quoque, "Quod
 "quis dicit veritati debet, et quod promittit fidei."
 Emenfis tamen diebus paucis, ventis vela commi-
 sistis, et egressum a regno, rem rege penitus igno-
 rante, procurastis. Quo audito, nemo rege plus stu-
 puit, nemo plus doluit. Stupuit non esse completum
 quod fuerat a pontifice quasi juramento promissum.
 Doluit in se grave sciens scandalum fuisse, et
 illam hastenus opinionem suam ex fugâ hac apud
 gentes et regna gravissime lacerari. Quid enim
 veritatis ignari, quid poterant ex his aliud suspicari,
 quam regem regie pietatis immemorem in tyranni
 rabiem exarsisse, et odio Christi ministrum ejus
 a regno sub et dominationis sue fidibus expulisse?
 Mallet in carne sua manu vestrâ vulnus gravissimum
 excepisse, quam hoc fame sue dispendium toto orbe
 Christiano per vos et vestros incurrisse. Quid
 plura? Aquilone vela perflante completa fuisset
 jam navigatio, nisi flatu meliore ceptis Auster
 obstitisset. Quo flante prospere, navis ad litus,
 unde cepit navigare, perducta est. In manus
 itaque regis cum vos rei deduxisset eventus, nun-
 quid

BOOK III. quid iram secutus, aut potentiam, in vos aut excessit opere, aut est quicquam locutus asperere? Absit. At benigne susceptum et veneratione qua decuit honoratum remisit ad propria, et vos in regno manere, commissam vobis ecclesiam regere, animi vestri dilectionem et dulcedinem sibi rebus ipsis ostendere, humiliter et benigne supplicando commouit. Vix Auster detonuerat, et jam Circius fulminabat; motus animorum vix utrimque resederant, et ecce de novo emerfit unde ferventius ebullirent. Perlatum est ad vos mandatum regium, ut cuidam regni nobilium, super predio quod a vestra vendicabat ecclesia, quod justum foret exhiberetis. Qui post statutos dies ad regem reversus asseruit, se penes vos justiciam assequi nequivisse, et se id ipsum, juxta regni statuta, coram vobis, suo congruoque testium juramento, comprobasse. Quo regem prosequente diutius, et super exhibendâ sibi justiciâ quotidie supplicante, domini nostri regis ad vos est emissâ citatio, ut statuto die se vestra sublimitas sibi exhiberet, ut quod ipso mandante non egerat, eo cognoscente litemque judicio dirimente compleret. Non est a vobis hec admissa citatio, *verum vos in hoc sibi minime parituri declaravit a vobis ad ipsum delegata responsio.* Arbitratus hoc ipso dominus rex juri suo detrâhi graviter et potestati, ecclesiam regni jussit ad concilium Norhamtoniam convocari. Convenit populus ut vir unus; et assidentibus sibi quorum id dignitati congruebat et ordini, quod dictum est super exspresso mandato suo in querelam adversus vos, usus, quâ decuit, modestiâ et venustate, proposuit. Porro quod intendit, fratrum vestrorum non expectato vel expetito consilio, vestra in continenti confessio confirmavit: adjiciens vos ob id non paruisse mandato, quod Johannes ille, qui regis ad vos mandatum pertulerat, in vestra presentia

presentia, non evangelio, sed tropario quodam proposito, juravisset. Est itaque dictum in commune, causam non eam esse, ob quam mandatum regium oportuisset omis-
 se: regnique fore consuetudinem in offensis hujusmodi multa pecuniaria suam rem taxante misericordia placari regem. Paruit regie sublimitas vestra sententie, ad plenum cavens super judicium solutione. Vestram tamen non latebat prudentiam decretum illud apostolicum, quod in hunc modum expressum est, "Nullus episcopus, neque pro civili, neque pro criminali causa, apud quemvis judicem, sive civilem, sive militarem, producat vel exhibeatur." Et illud, "Glericus apud secularem judicem, si pulsatus fuerit, non respondeat aut proponat." Et illud Gelasii pape ad Elpidium episcopum, "Quo ausu, qua temeritate rescribis ad Ravennam te parare proficisci, cum canones evidenter precipiant, nullum omnino pontificum, nisi nobis ante visis aut consultis, ad comitatum debere contendere." Sed hec altiori forte scientia et spiritu clariore discernitis; et quia regem unctio divina sanctificat, ungitur ei manus in sanctitatem operum, brachiorum nexus in castitatem complexuum, pectus in cordis munditiam, scapule in laborum pro Christo tolerantiam, crismate caput infunditur, ut secundum Christum, a quo crisma dictum est et ejus nomine consecratum, apto semper moderamine studeat sibi credita dispensare, ipsum a ceteris secernitis, et judicem, non secularem tantummodo, sed et ecclesiasticum reputatis. Ad quod roborandum, id fortasse proponitis, quod imperiali judicio papa Leo quartus emendare voluit, si quid in subditos injuste commisit, Ludovico Augusto sic scribens: "Nos si incompetenter aliquid egimus, et in subditis juste legis tramitem non conservavimus, vestro aut missorum vestrorum cuncta terminentur examine; ne sit in posterum quod indiscretum

BOOK III. discretum valeat permanere." Si vobis mens ista est, discretioni vestre quam plurimum in hoc consentit opinio, ut, ob sacramenti reverentiam, regem estimet, non omnes, sed quas distinguunt, ecclesie et personarum ecclesie causas oportere discutere, et regie jurisdictionis examine terminare. Habet enim ecclesia quedam divino tantum jure, quedam, ut testantur, humano. Gradus ecclesiasticos, ordines sacros, et dignitates hiis coherentes et potestates, divino tantum jure fortitur. Unde si baptizat aut consecrat, solvit aut ligat, predicat et informat, hec tantum spiritualia sunt, collata desuper ab homine in hominem, non hominis dono, sed divino intuitu operante spiritu, propagata. Hunc sibi nemo sumit honorem, sed qui vocatur a Deo, tanquam Aaron. Affectaverunt hæc Choraſh, Dathan, et Abiran, a Domino non vocati, et inaudita morte perierunt. Immiscerunt se sacrificiis Jeroboam et Ozias, alter manus ariditate, alter lepra, percussus sunt. Est igitur in his omnibus sacerdos quilibet, ut pater, ut pastor, omni rege superior: rex, ut filius, ut discipulus, longe inferior estimatur. Si itaque rex delinquat in Deum, imitando Theodosium, conciliari studeat opera sacerdotum. Si sacerdotes se accusent alterutro, hec suo rex non usurpet justicio; sed, ne patrum verenda conspiciat, incedens retrorsum quoque hujusmodi pallio laudis operiat. Sunt et ecclesie corporalia quedam divino tantum jure possessa. In his decime numerantur, oblationes, et primitie, que segregando sibi sanctificavit dominus, et in usus sibi ministrantium eterna lege sancivit. Que quia divino tantum jure percipit, ad cognoscendum super his potestas se regia non extendit. Humano vero jure multa possidet, que sola vel sibi sunt hominum donatione concessa, non id precipiente Domino, vel legem super hoc statuente, ut jam non Leviticâ solum portione sit limitata, verum donis

donis. eximius et possessionibus ampliata. Trans-
 tulerunt ad eam ampla sua patrimonia reges, trans-
 tulerunt electi principes, ut jam sit etiam corpora-
 liter impletum, quod de filiis ecclesie dudum est
 prophetâ vaticinante predictum; "Fortitudinem
 gentium comedetis, et in gloriâ eorum superbi-
 etis." Et illud; "Ut det illis hereditatem gentium." Item
 Ysaïas, "Dilata tentorium tuum; longos fac funi-
 culos tuos; ad dextram et ad levam dilataberis."
 Vetus quidem habet historia, in opus illud taber-
 naculi antiquum illum populum eâ devotione con-
 tulisse donaria, ut compulsi artifices dicerent Moy-
 si, Plus offert populus quam necesse est. Quorum
 quantacunque devotio, filiis tamen gratiæ non equa-
 tur, quibus septennumero satis non est donare singula,
 nisi supererogent universa. Est vero cuique li-
 berum, cum transfert donando quod suum est,
 donationi conditionem quam velit annexere, quan-
 tum nec legibus nec bonis constat moribus obviare.
 Hanc itaque donationi regum conditionem annexam
 estimant, hoc consuetudine tot temporum obtinente
 curricula affirmant, ut regibus ecclesie militaria, et
 annexa prediis alia quedam persolvant obsequia, et
 possessiones ipsas a regibus, personis sue principaliter
 hominio, et fidelitate, presente evangelio, promissâ,
 recognoscant. Sic igitur ecclesie geminata potestas
 est, ut hinc regi celesti serviat, hinc terreno principi
 quod ad eos spectat exhibeat. Ejusque ministra
 efficit potestas, hinc a Deo cellata, pontifices, hinc
 a rege suscepta, comites aut barones. Potestas hac
 est quâ magnum in palatio obtinet ecclesia princi-
 patum, cum in omnibus regni judiciis, preterquam
 si de vite periculo tractetur aut sanguine, locum ha-
 beat ipsa precipuum. Hec regi nos obligant (ut
 affirmant), ut ab ipso citati debeamus assistere, et
 singulorum causas ungeri discutere et judicare.
 Nam qui in his que ad Deum sunt gradu quodam
 distinguimur,

BOOK III. distinguimur, ut superiores quidam, inferiores alii, reputentur et simus, nos in hoc pares estimant, ut si de fundis ad ecclesiam liberalitate regiâ devolutis, inter nos, aut in nos, fuerit oborta contentio, apud regem que spectant ad singulos universorum definiat pronuntiatio. Nec mirum si patrem teneat à filio lata sententia, et cum hominio fidelitas reverenter exhibita. Cum sit igitur à Deo gemina potestas, hinc sacerdotalis, hinc regiâ; utramque secundum quid preesse alteri, et ab alterâ secundum quid posse judicari, patrum auctoritate confirmant, ut sit regum et presulum vicissitudo hec, quâ se vicissim judicant et judicantur a se, forte quoddam caritatis vinculum, reverentie debitum, et utrique necessitudo quedam conservande pacis ad alterum. Hec et his altiora considerans, regem, quasi precellentem, prout monet apostolus, honorastis, ejus parendo sententie rectè judicem agnovistis, sibi que servando quod suum est, ipsum, in his que ad Deum sunt, vestre parere sublimitati prudenter et providè monuistis. Omni humane creature propter Deum sancta se submittat humilitas, et quo se dejicit inferius, eo, juxta verbum Domini, meretur altius et gloriosius exaltari. Atque in his utinam humilitatis finibus res ipsa tota resedisset, et, cum à vobis quedam debita reposceret Dominus noster rex, cum de summâ pecunie, quam in manu vestra ex caducis quibusdam excrevisse memorabat, quod jus dictaret id sibi solum peteret exhiberi, ad declinandum regalis curie judicium tunc se vester minimè zelus erexisset. Nam quid poterat inferre periculi danda super hac petitione sententia? Ad regimen ecclesie vos a curiâ transferri voluit, et ab ipsius nexibus hoc ipso vos, ut plures opinantur, absolvit. Quod si ad debita minimè referendum est, ut eversus loco sic absolvatur a debito, poterat negotium per exceptionem in rem versum plurimum expediri; et, si quid compoto nequivisset

nequivisset includi, iratè magis repetenti sua quam avidè, de reliquo poterat satisfdari; et civilis hec causa, absque hoc rerum turbine, pace poterat honestissimâ terminari. Sed inauditum dicitis, ut in regis curiâ Cantuariensis unquam compelleretur ad talia. Et id dixeritis inauditum, officialem curie repentino transitu ad illam ecclesiam unquam hactenus sic ascendisse, ut hodie quis curiam, cras dispenseret ecclesiam, ab avibus et canibus ceterisque curie jocundis usibus cito quis astaret altaribus, et episcopis totius regni spiritualia ministraret et sacerdotibus. Usus igitur in diversa tendente consilio, domum regiam, crucem gestans in manibus introistis, et execrande cujusdam malitie suspectum regem omnibus ilico reddidistis. At ejus innocentiam summis efferenda preconiiis patientia declaravit. Illationem crucis adversum se etsi molestè tulerit, fines tamen regie modestie non excessit. Non irâ motus efferbuit, non verbo malignatus aut opere, causam, quam sua repetens intenderat, sine studuit justicie debito terminare. At, declinando judicium, ad dominum papam appellastis, et, sicut in ingressu, sic in egressu vestro, summam regis mansuetudinem et tolerantiam vobis observate pacis indiciis agnovistis. Nam ut, in Absalonem prodeunte exercitu, paternâ pietas exclamavit: "Serve mihi puerum Absalon," sic, ejus mandato, voce statim preconariâ cunctis innotuit, ut si quis vobis aut e vestris cuiquam molestus existeret ultore gladio deperiret. Addidistis ad hæc, ut, tanquam vitæ vestræ vel sanguini machinarentur infidias, fugâ nocte initâ, mutato habitu, post latitationem aliquantulam, a regno clam transmeastis, et nemine prosequente, nullo vos expellente, extra dominationis sue loca, in regno vobis altero ad tempus sedem elegistis. Inde navem disponitis gubernare quam in fluctibus et tempestate, subducto remige,

BOOK III. reliquistis. Hinc nos vestra jubet autoritas, et hortatur, ut convertamur ad vos et salvi simus, ut vestris inherendo vestigiis pro Christo mortem subeamus, et pro liberandâ ipsius ecclesiâ animas ponere non metuamus. Et utique si attendamus quanta nobis promittantur in celis, debeant animo vilescere quaecunque possidentur in terris. Nam nec lingua dicere nec intellectus capere valet illa superne civitatis quanta sint gaudia; angelorum choris interesse, cum beatissimis spiritibus glorie conditoris assistere, presentem Dei vultum cernere, nullo metu mortis affici, incorruptionis sue munere perpetuo gloriari! Passiones hujus temporis minime condigne sunt ad futuram gloriam quæ revelabitur in sanctis; et quod modo leve est et momentaneum tribulationis supra omnem modum eterne glorie pondus operabitur in electis. Hec nostris jamdiu sensibus insederunt, nostra jamdiu studia hec post se promissa traxerunt. Caput utinam, quod mihi scapulis insidet, lictoris gladius projecisset in medium, dum tamen legitimo Deoque placito certamine decertassem. *At martyrem non pena facit, sed causa.* Dura sanctè perpeti, gloria est: improbè pertinaciter, ignominia. Pro Christo subire gladium, consummata laus est et victoria; hunc in se temerè provocare, latè patens insania. Et si vestra, pater, non solum dicta, verum facta pensamus, in mortem nec temerè nec leviter impingemus. Nam genu Clarendone curvando, fugam Norhamtone ineundo, murato ad tempus habitu delitescendo, a regni finibus clam emigrando, quid actum est? quid hec agendo procurastis, nisi quod mortem, quam nemo dignabatur inferre, tam sollicitè declinastis? Nos igitur ad mortem quâ fronte pater invitastis, quam vos et formidastis et fugistis indicistis tam manifestis toti mundo luce clarius ostendistis? Que vos suadet caritas nobis

onus

onus imponere quod abjecistis? Gladius nobis imminet quem fugistis, in quem fundum jacere, non dimicare cominus, elegistis. Ad similem forte fugam nos invitastis. At nobis mare clausum est, et post discessum vestrum naves nobis sunt omnes et portus inhibiti. Insule terrarum claustra regum fortissima sunt, unde vix evadere vel se quis valet expedire. Si nobis pugnandum est, de proximo contendemus: si cum rege pugna conferitur, unde percutiemus gladio nos ibi gladius repercutiens inveniet. Unde vulnus infigemus vulnera declinare nequibimus. Et annui vestri redditus nunquid vobis tanti sunt, ut fratrum vestrorum sanguine vobis hos velitis adquiri? At Judâ reportante pecuniam, hanc Judei respuerunt, quam sanguinis esse pretium agnoverunt. Sed aliam nobis causam fortasse proponitis.—Paululum itaque divertamus, ut mortis nobis suadende causam plenius attendamus. Gratias Domino, Nulla penes nos est de fide contentio, de sacramentis nulla, nulla de moribus. Viget recta fides in principe, viget in prelati, viget in subditi. Omnes fidei articulos regni hujus ecclesia sanè complectitur. A summi pontificis obedientiâ presentis schismatis insaniâ nemo dividitur. Ecclesie sacramenta venerantur omnes et excolunt. Suscipiunt in se, et aliis piè sanctèque communicant. Quod ad mores, in multis quidem offendimus omnes: Errorem tamen suum nullus prædicat aut defendit, verum penitentie remedio sperat posse dilui quod admittit. *Tota igitur in regem est et de rege contentio, ob quasdam consuetudines, suis predecessoris observatas, (ut asserit) et exhibitas, quas sibi vult et expetit observari.* Super hoc a vestrà sublimitate commonitus non desistit à proposito, non renunciat iis que formavit antiquitas et longa regni consuetudo. Hec est causa cur ad arma decurritis, et in

BOOK III. sanctum caput et nobile gladium librare contenditis. In quo refert plurimum *quod has ipse non statuit, sed, ut tota regni testatur antiquitas, sic eas repperit institutas.* Nam difficilior evellitur quod altius radicatur. Heret planta tenacius que suas in altum jam diu radices immiserat; quam si quis transferre desiderat, non viribus evellenda est, ne protinus exarefeat. Circumfodienda est prius, et humus est ejicienda; denudanda radix undique, ut sic prudens expleat diligentia quod vis commodè non expleret, incompetenter adhibita. A bonis exempla sumenda sunt, et, cum tractantur hujusmodi, ipsorum sunt opera diligentius attendenda. Predecessor vester ille pater Augustinus multa a regno hoc extirpavit enormia, et ipsum regem fide illuminans pravas ab eo consuetudines, non quidem paucas, eliminavit, non maledictis equidem, sed benedicendo potius et predicando, exhortando salubriter, et potentum animos ad bonum fortiter inclinando. Cremenſis ille Johannes, diebus nostris, in partes has a sanctâ Romanâ ecclesiâ directus, regni consuetudines, in quibus jam senuerat, immutavit: quod non maledictis aut minis, sed doctrinâ sanâ et exhortationibus sanctis optinuit; benedicendo seminavit, de benedictionibus et messem fecit. Hi, si ad arma decurrissent, nihil aut parum profecissent. A pio Francorum rege, optatâ diu prole sibi jam concessâ divinitus, nuper illi regno multa sunt remissa gravamina, que firmaverat antiquitas hæcenus inconvulsa. Hec, suggerente, ut audivimus, ecclesiâ, et monente, non electum principem minis impetente, sublata sunt. Que denique, quanteve dignitates, libertates, immunitates, possessiones, ecclesie Dei, a piis regibus, orbe toto, pietate solâ, non maledicti necessitate, collata sint, quis valeat explicare! Utique tempus id volentem. explicare deficiet. Hec namque regum est laude digna nobi-

litas: Ab ipsis supplex optinet, quod erectus in BOOK III.
 minas nullis unquam conatibus optineret. Iphis
 nummi pretium tam reputatur vile quam exiguum.
 Quod si vi quisque violenter intenderet, magnos in
 re modicâ rei sue defensores spe cito frustratus
 agnosceret. Hec itaque, non fervore novitio, sed
 maturo fuerant attendenda consilio. Erant fratrum
 veltorum et aliorum plurium in his exquirenda
 consilia, attendenda patrum prudentum opera, cum
 incommodis ecclesie pensanda commoda, et hec tum
 demum danda forte sententia, cum jam foret spes
 nulla superesse remedia. Que, profecto, cum datur
 juxta sacrorum formam canonum, attendendum est
 in quem detur, cur detur, quomodo detur, an
 expediat ecclesie quod detur, et obfuturum sibi si
 non detur. Is vero quem impetitis (ut nota vobis
 referamus), nunquid non ipse est quem dulcissima
 pignora, nobilissima conjux et honesta, subjecta sibi
 regna quam plurima, amicorum cetus et suis obse-
 quentium nutibus tot populorum agmina, mundi
 queque pretiosa, vix detinent, vix blandiendo per-
 suadent, quin, spretis omnibus, post crucem suam
 portantem Dominum Jesum nudus exeat, et pauper-
 tatem contemplando quam subiit, id facto studeat
 implere quod docuit ipse dicens, " Qui non bajulat
 " crucem suam et venit post me, non est me dig-
 " nus." Hec mentis ejus obstinatio est, hec male-
 dictis opprimenda crudelitas, hec in ecclesiâ Dei
 toto orbe declamata malignitas? In hunc si maledicta
 congefseritis, partem sui nobilissimam suis ledi jaculis
 ecclesia recte condolebit. Ipso namque vulnerato,
 lesam se, non filiorum paucitas, sed populorum
 ampla numerositas, ingemiscet. In hoc vero sacra
 sic docet auctoritas. " In ejusmodi causis, ubi
 " per graves dissensionum scissuras non hujus aut
 " illius est hominis periculum, sed populorum
 " strages jacent, detrahendum est aliquid severitati,

BOOK III.

“ ut majoribus malis sanandis caritas sincera sub-
 “ veniat:” Et iterum, “ Non potest esse salubris
 “ a multis correctio, nisi cum ille corripitur qui
 “ non habet sociam multitudinem.” Medico nam-
 que quis ascribit industrie, ut vulnus unum sanet,
 aliud longe majus, longe periculosius, infligat?
 Discretionis quis attribuat, ob quedam, que pote-
 runt et levius et expeditius optineri, ecclesiam sic
 deferere, in principem exurgere, et ecclesie totius
 regni concussa pace, animarum in subditis corpo-
 rumque pericula non curare? Augustinus cessit:
 Ambrosius ecclesiam deferere non approbavit. Nam
 quid a bono principe vestra pater prudentia poterat
 non sperare, quem divino compunctum spiritu in
 Christum adeo noverat anhelare? Ille consuetu-
 dines, temporalis commodi nil prorsus sibi con-
 ferentes quanti sibi sunt, cui ipsa mundi gloria,
 quantamcumque se offerat, jam tota fere viluit, et a
 cordis sui desiderio tam procul est, ut Domino
 loquens sepius dicat quod scriptum est, *Insigne mei*
capitis odi, Domino, tu scis *. Nunquid non hic
 fovendus erat, et in ipso nidificanti columbe sancte
 dimittendus, donec plene formatus in ipso Christus
 occulta ejus in lucem traheret, produceret, et liber-
 tates ecclesie, non tantum has de quibus agitur,
 sed et longe propensiores, ipse, quasi manu propria,
 distribuerit? In his quidem quod scimus loquimur,
 quod novimus id confidenter asserimus. Consue-
 tudines, in quas plus candescitis, dominus noster
 rex jam pridem penitus exprevisset, si non hoc
 propositum duo graviter impedissent: Unum, quod
 sibi timet dedecori, à patribus ad se devoluto regno,
 diebus suis, subtrahi quicquam vel diminui: Alte-
 rum, si quid remittat ob Dominum, erubescit, ut
 hoc sibi vi reputetur extortum. Primum tamen

* This alludes to the Vow the King had made, never again to wear his Crown.

alud jam sanctitatis pede calcaverat, et ipsum in BOOK III.
 hoc Dei timor, innata bonitas, domini pape sancta
 monitio, multorumque in hoc supplicatio continuata
 prodexerant, ut, ob ejus reverentiam, per quem
 ultra omnes suos patres longe magnificatus est, ec-
 clesiam Dei convocare et regni consuetudines, que
 gravamen sibi noscerentur inferre, multâ devotione
 spiritûs, immutare vellet ultroneus et corrigere.
 Et, si penes vos cepta perseverasset humilitas, ec-
 clesiam Dei in regno exhilarasset jam diffusa lætè
 jocunditas. Nam finem, in quem tenditis, vicerat
 jam supplicatio, cum male totum impedivit a vobis
 orta recens turbatio. Nam, cum suis nondum
 Britannia titulis accessisset, et levaret in eum usque
 tunc indomita gens illa calcaneum, cum produceret
 in turbatores pacis exercitum, terribiles in illum
 literas, devotionem patris, modestiam pontificis,
 minime redolentes emisistis; et quod summi pon-
 tificis admonitio, multorumque elaboraverat supplex
 et intenta devotio, suspirando minas ilico sustulistis,
 et tam regem, quam regnum, in scandalum cunctis
 retro actis ferè gravius impulistis.

Avertat Deus finem, quem, negotio sic proce-
 dente, metuimus; qui ne nostris erumpat tempori-
 bus, ob honorem Dei et sancte ecclesie reverentiam,
 ob vestrum (si placet) commodum, ob pacis com-
 mune bonum, ob minuenda scandala, et que tur-
 bata sunt ad pacem, juvante Domino, revocanda, ad
 dominum papam appellavimus, ut vestri cursûs
 impetum vos in regem pronè rapientis et regnum,
 ad tempus saltem cohibeamus. Quâ in re bonum
 est, ut intra fines modestie vester se velit zelus cohi-
 bere, ne, ut regum jura subvertere, debitam quo-
 que sic domino pape reverentiam, appellationes ad
 ipsum interpositas non admittendo, nimis e sublimi
 studeat exinanire. Quod si placet advertere, ad
 Zacheum non divertisse Dominum, nisi cum de

BOOK III. sicomoro jam descendisset, descenderis forsitan, et quem minis exasperastis verbis aliquando pacificis mitigare studeretis, non solum exigendo, sed et satisfactionem humilem, etsi forte injuriam passus, offerendo. Puerum apostolis proposuit exemplo Dominus, qui lesus non irascitur, injurie cito non meminit, nec quicquam maliciose molitur, dum magna non affectat, sibi totum hoc innocentis vite remedio viteque jocunditate plenissimâ recompensat. Singulare itaque virtutis exemplar ipse est, qui se crucifigentes absolvit, qui latâ caritate persequentes et odientes amari precipit, et, si peccet frater in nos, veniam non solum septies, sed et septuagies septies, imperat impertiri. Ista quid non posset humilitas? apud dominum nostrum regem quid non optineret viarum ista perfectio? Callis iste rectus est, ad pacem recte perducens, quem pater cum intraveritis, pacem ilico apprehendetis, et dispersis tristitie nebulis, cuncta pace, gaudio cuncta replebitis, et a rege piissimo dominoque nostro karissimo, non solum que ad presens petitis, sed et longe majora his, Domini spiritu cor ejus accendente, et in amorem suum semper dilatante, feliciter optinere poteritis.*

* The foregoing Letter is here misplaced, its proper place being after Epist. cviii. l. i. E Codice Vaticano, to which it is an answer. The accents denoting the Ablative Case are not in the Manuscript, but are added here to help the Reader, as there is some obscurity in the style of the letter, and from the old spelling of the Manuscript. The following letters are taken from the printed Brussels Edition of Becket's Letters after the Vatican Manuscript.

N° IV.

BOOK III.

*Epist. cxxvi. Lib. i. Thomæ Cantuariensi Archi-
episcopo Clerus Angliæ.*

This refers to
p. 124. vol.
iv.

*Venerabili Patri et Domino Thomæ, Dei gratia, Can-
tuariensi Archi-episcopo, suffraganei ejusdem ecclesiæ
Episcopi, et Personæ per eorundem Dioceses locis
variis constitutæ, debitam subjectionem et obedientiam.*

QUÆ vestro, Pater, in longinqua discessu, in-
opinatâ rei ipsius novitate turbata sunt, vestrâ
sperabamus humilitate et prudentiâ in pacis pristinæ
ferenitatem, cooperante Dei gratia, revocari. Erat
quidem nobis solatio, quod post discessum vestrum,
ad omnes ilico famâ divulgante pervenit, vos trans-
marinis agentem nil altum sapere, vos in Dominum
nostrum Regem aut Regnum ejus nullâ machina-
tione insurgere, sed sponte susceptum paupertatis
onus cum modestia sustinere; lectioni et orationi
insistere, præteritorumque jacturam temporum je-
juniis, vigiliis, lacrymisque redimere, et spiritualibus
occupatum studiis ad perfectionis apicem beatis
virtutum incrementis adscendere. Ad pacis bona
reformanda vos studiis hujusmodi gaudebamus in-
sistere, ex quibus spes erat vos in cor Domini nostri
Regis hanc posse gratiam desuper evocare, ut vobis
iram Regiâ pietate remitteret, et illatas in discessu et
ex discessu vestro injurias ad cor de cætero non re-
vocaret. Erat Amicis vestris et Benevolis ad ipsum
aliquis, dum hæc de vobis audirentur, accessus, et
ob conciliandam vobis gratiam supplicantes benigæ
quandoque sustinuit. Jam verò quorundam rela-
tione didicimus, quod ad memoriam anxie revo-
camus, vos scilicet in eum comminatorium emississe,
quo salutationem omittitis, quo non ad obtentum
gratiæ

BOOK III. gratiæ consilium precesse porrigitis, quo non amicum quid sentitis aut scribitis, sed intentatis minis interdictum aut præcisionis elogium in eum jam dicendum fore multâ ferventate proponitis. Quod si quàm curè dictum est, tam fuerit severè completum, quæ turbata sunt non jam speramus ad pacem redigi, sed in perenne quoddam odium et incurabile peritescimus inflammari. Rerum verò hæc prudentia sancta considerat, dans operam sollicitè, ut quod prudenter inchoat, bono quoque fine concludat. Advertat itaque, si placet, discretio vestra, quò tendat, an conatibus hujusmodi queat finem obtinere, quem optat. Nos quidem his ausis à spe magna cecidimus, et qui pacis obtinendæ spem quandoque concepimus, ab ipsis jam spei limitibus gravi quâdam desperatione repellimur. Et dum velut extracto gladio pugna confertur, pro vobis supplicandi locus utique non invenitur. Unde Patri scribimus ex charitate consilium, ne labores laboribus, injurias superaddat injuriis, sed, omittis minis, patientiæ et humilitati inserviat, causam suam divinæ Clementiæ, Dominiq; sui gratiæ misericordie committat; et sic agendo carbones ignis in multorum capita coacervet et congerat. Acenderetur hoc modo charitas, et quod minis non poterant, inspirante Domino, bonorumque suadente consilio, sola fortasse pietas obtineret. Bonum erat potius de paupertate voluntariâ gloriose laudari, quam de beneficii ingratitude ab omnibus in commune notari. Insedit altè cunctorum mentibus, quam benignus vobis Dominus noster Rex existerit, in quam vos gloriam ab exili provexerit, et in familiarem gratiam tam latâ vos mente suscepit, ut Dominationis suæ loca, quæ a Boreali oceano ad Pyrenæum usque porrecta sunt, Potestati vestræ cuncta subjecerit, ut in his solâ hos beatos reputaret opinio, qui in vestris poterant oculis complacere.

placere. Et, ne vestram gloriam mobilitas posset mundana concutere, in his quæ Dei sunt voluit immobilitè radicare. Et dissuadente matre suâ, Regno reclamante, Ecclesiâ Dei, quoad licuit, suspirante et ingemiscente, vos in eam, quâ præestis, Dignitatem, modis omnibus studuit sublimare, sperans se de cætero regnare felicior et ope vestrà et consilio, summâ securitate gaudere. Si ergo securim accipit, unde securitatem sperabat, quæ de vobis erit in cunctorum ore narratio? Quæ retributionis hæcenas inauditæ rememoratio? Parcat is ergo, si placet, famæ vestræ, parcat is et gloriæ: Et humilitate dominum, filiumque vestram charitate vincere studeatis. Ad quod si nostra vos monita movere nequeunt, debet saltem summi pontificis, sanctæque ecclesiæ Romanæ dilectio et fidelitas inclinare. Vobis enim suaderi debet è facili, ne quid attentare velitis, quod laboranti jamdiu matri vestræ labores augeat, quovè multorum inobedientiam deploranti in eorum qui obediunt amissione dolor accrescat. Quid enim si vestrà, quod absit, exacerbatione et operâ Domini noster, quem, largiente Domino, populi sequuntur et regna, à Domino Papa recesserit, ipsumque sibi fortassis adversum vos solatia denegantem sequi de cætero declinaverit? Ipsum namque, in hoc, quæ supplicationes, quæ dona, quot, quantave promissâ sollicitant! In petrâ tamen firmus huc usque perstitit, et totum quod mundus offerre potest victor altâ mente calcavit. Unum nobis timori est, ut quem oblatæ divitiæ, et totum quod in hominum gloriâ pretiosum est, flectere nequiverunt, animi sui valeat indignatio sola subvertere. Quod si per vos acciderit, in threnos totus ire poteritis, et lacrymarum fontem oculis vestris de cætero negare nullâ quidem ratione poteritis. Revocetis itaque, si placet Sublimitati vestræ, consilium, Domino quidem Papæ, sanctæque Romanæ ecclesiæ, vobisque,

BOOK III. que, si placet advertere, modis omnibus, si processerit, obfuturum. Sed qui penes vos alta sapiunt vos hâc fortè viâ progredi non permittunt. Hortantur experiri quis sitis, in Dominum Regem, et omnia quæ sua sunt, potestatem exercere quâ præestis. Quæ nimirum potestas peccanti timenda est, satisfacere nolenti formidanda. Dominum verò Regem non quidem non peccasse dicimus, sed semper Domino paratum satisfacere confidenter dicimus et prædicamus. Rex à Domino constitutus paci providet per omnia subditorum: et, ut hanc conservet ecclesiis et commissis sibi populis, dignitates Regibus ante se debitas et exhibitas sibi vult ac exigit exhiberi. In quo si inter ipsum et vos aliqua est oborta contentio, à summo super hoc pontifice, paternâ gratiâ, per venerabiles fratres nostros Londoniensem et Herefordensem episcopos conventus et commonitus, non in cœlum os suum posuit, sed de omnibus, in quibus vel ecclesia, vel ecclesiastica quæcumque persona, se gravatam ostenderet, se non alienum quærere, sed ecclesiæ regni sui parituum judicio, humiliter et mansuetè respondit. Quod quidem et factis implere paratus est, et dulce reputat obsequium, ut corrigat, si quid offendant in Deum. Nec solum satisfacere, sed etiam, si jus exigat, in hoc satisfidare paratus est. Igitur et satisfacere volentem, ecclesiæque se judicio, in his quæ sunt ecclesiæ, nec in modico subtrahentem, colla Christi jugo subdentem, quo jure, quâ legè, quovè canone aut interdicto gravabitis, aut securi, quod absit, Evangelicâ præcidetis? Non impetu quidem ferri, sed judicio prudenter regi, laudabile est. Unde nostrum omnium una est in commune petitio, ne consilio præcipiti mactare pergatis et perdere, sed commissis ovibus, ut vitam, ut pacem, ut securitatem habeant, paternâ studeatis gratiâ providere.

Movet

Movet quidem omnes nos, quod in patrem BOOK III.
 nostrum, Dominum Saresberiensem episcopum, et
 decanum ejusdem, præposterè, ut quidam existi-
 mant, nuper actum audivimus: in quos suspensionis
 aut damnationis pœnam, ante motam de culpâ con-
 troversiam, calorem, ut videtur, iracundiæ, plus-
 quàm justitiæ securus tramitem, intorsistis. Ordo
 judiciorum novus hic est, huc-usque legibus et ca-
 nonibus, ut sperabamus, incognitus, damnare pri-
 mum, et de culpâ postremò cognoscere. Quem ne
 in Dominum nostrum Regem et regnum ejus, ne in
 nos et commissas nobis ecclesiâs et parochias, in
 Domini Papæ damnum, sanctæque Romanæ Ec-
 clesiæ dedecus et detrimentum, nostræque confu-
 sionis augmentum non modicum, exercere tentetis
 et extendere, remedium vobis appellationis op-
 ponimus. Et qui contra metum gravaminum in
 facie ecclesiæ vivâ jamdudum voce ad Dominum
 Papam appellavimus, iterato jam nunc ad ipsum
 scripto etiam appellamus, et appellationi terminum
 diem adscensionis Dominicæ designamus, quantâ
 quidem possumus devotione supplicantes, ut, inito
 salubriori consilio, vestris ac nostris laboribus ex-
 pensisque parcatis, causamque vestram in hoc, ut
 remedium habere queat, ponere studeatis. Valere
 vos optamus in Domino, Pater.

BOOK III.

N° V.

This Letter
refers to p.
125. vol. IV.

*Epist. cxxvii. Lib. i. Thomas Cantuariens.
Archi-episcop. Universo Clero Angliæ.**

*Thomas Dei gratiâ Cantuariensis ecclesiæ minister hu-
milis venerabilibus Fratribus suis, universis Cantia
Provinciae Dei gratiâ Episcopis, si tamen universi
scribunt, salutem, et id agere quod nondum agunt.*

FRATERNITATIS vestræ scriptum, quod
tamen de prudentiæ vestræ communi consilio
non facile credimus emanasse, nuper ex-insperato
suscepimus. Cujus continentia plus videtur ha-
bere mordacitatis quàm solatii: Et utinam magis
esset emissum de pietatis studio, de charitatis affectu,
quàm de obedienciâ voluntatis. Charitas enim non
quærit quæ sua sunt, sed quæ Jesu-Christi. Erat quip-
pe de jure officii, si veritatem habet Evangelium,
quod quidem habet, si rectè agitis ejus officium,
si fideliter ejus negotium geritis cujus representatis
figuram, magis cum timere qui potest animam et
corpus mittere in gehennam quàm qui potest corpus
occidere; magis Deo obedire quàm hominibus,
Patri quàm Domino; ejus exemplo, qui factus est
Patri obediens usque ad mortem. Mortuus itaque
est ipse pro nobis, nobis relinquens exemplum, ut
sequamur ejus vestigia. Commoriamur ergo et
nos ei, ponamus animas nostras pro liberandâ ec-
clesiâ à jugo servitutis, et oppressione tribulantis,
quam ipse fundavit, cujus comparavit libertatem
sanguine proprio; ne, si secùs egerimus, meritò

* This Title is wrong, not being agreeable to the super-
scription which follows: but it stands so in the printed Edition of
Becker's Letters, and likewise in the Cottonian Manuscript in the
British Museum.

comprehendat nos. illud Evangelicum, "Qui amat BOOK III.
 "animam suam plus quàm me, non est me dignus." }
 Optimè nosse debueratis, quoniam, si iustum est
 quod præcipit imperator, ejus debetis exequi vo-
 luntatem; si verò contrarium, respondere, "Quo-
 "niam oportet nos magis obedire Deo, quam
 "hominibus." Unum vobis dico, ut salvâ pace
 vestrâ loquar, multo tempore silui, expectans si
 fortè inspiraret Dominus vobis, ut resumeretis vires,
 qui conversi estis retrorsum in die belli: Si fortè
 saltem aliquis ex omnibus vobis adscenderet ex ad-
 verso, opponeret se murum pro domo Israhël, simu-
 laret saltem inire certamen contra eos, qui non ces-
 sante quotidie exprobrare agmini Domini. Ex-
 pectavi: non est qui adscendat: Sustinui: non est
 qui se opponat: Silui: non est qui loquatur: Dis-
 simulavi ego: non est qui vel simulatione ceter.
 Reposita est mihi de reliquo querelæ actio, ut meritò
 clamare habeam; "Exurge, Deus, judica causam
 "meam." Vindica sanguinem ecclesiæ, quæ evisce-
 rata est, quæ facta est oppressione exanimis. Su-
 perbia enim eorum qui oderunt ejus libertatem
 adscendit semper, nec est de cætero qui faciat
 bonum.

Utinam, Fratres dilectissimi, is esset vobis affectus
 in defensionem libertatis ecclesiæ, qui paret et pro-
 pinatur nobis in ejus confusionem, literis vestris,
 ut credimus, minùs legitimè appellatoriis. Verùm
 fundata est ipsa supra firmam petram, nec est qui
 eam possit evellere, etsi concutere. Ut quid ergo
 queritis me confundere? Immò vos ipsos in me;
 immò et me vobiscum; Hominem qui suscepi in
 me periculum, sustinui tot opprobria, toleravi tot
 injurias, expertus sum etiam proscriptionem pro
 omnibus vobis. Expediebat quidem unum affligi
 pro ecclesiâ istâ; ut vel sic excutiatur à servitute.
 Discutite mente simplici causam istam, examine
 negotium,

BOOK III. negotium, diligenter attendite quis ejus debeat esse finis; ut, deductâ majestâte imperii, postpositâ penitus personarum acceptione, quarum Deus acceptor non est, faciat ipse vobis intelligere, quid est quod egeritis, quidque quod intenditis agere. Auferat ipse Deus velamen de cordibus vestris, ut cognoscatis quid agere debeatis. Dicat ex omnibus vobis qui noverit, si unquam post meam promotionem alicujus vestrum tuli bovem aut asinum, si alicujus pecuniam, si alicujus causam iniquè judicavi, si alicujus vestrum dispendio comparavi mihi compendium: Reddo quadruplum. Si verò non est quod offenderim, ut quid me solum derelinquitis in causâ Dei? Quare vos ipsos vobis ipsis opponere curatis in causâ istâ, quâ nulla specialior est ecclesia? Nolite, patres, nolite vos ipsos et ecclesiam Dei, quantum in vobis est, confundere, sed convertimini ad me et salvi eritis. Dominus enim dicit, "Nolo mortem peccatoris, quantum ut convertatur et vivat." State mecum viriliter in prælio, apprehendite arma et scutum, et exurgite mihi in adjutorium. Accingimini gladio verbi Dei potentissimi, ut simul omnes fortius et validè valeamus unâ resistere, pro officii nostri debito, adversum malignantes, adversum operantes iniquitatem, adversum eos qui quærunt tollere animam ecclesiæ, quæ est libertas, sine quâ nec viget ecclesia, nec valet; adversum eos qui quærunt hæreditate sanctuarium Dei possidere.

Festinemus ergo simul omnes id agere, ne ira Dei descendat super nos, tanquàm super negligentes pastores et desides; ne reputemur canes muti, non valentes latrare; ne exprobetur nobis a transeuntibus, "A senioribus Babylonis egressa est iniquitas." Reverà si me audieritis, scitote quoniam Dominus erit vobiscum, et cum omnibus vobis in cunctis viis vestris ad faciendam pacem

et

et defendendam ecclesiæ libertatem. Aliòquin ju-BOOK III.
 dicet Deus inter me et vos, et ecclesiæ confusionem
 requirat de manibus vestris. Quoniam, velit, nolit
 mundus, necesse est ipsam stare firmiter in verbo
 Domini, in quo fundata est, donec veniat hora ejus,
 ut transeat de hoc mundo ad Patrem. Judicabit
 Deus de eo, quod reliquistis me solum in certamine,
 nec est qui velit mecum ascendere ad pugnam ex
 omnibus charis meis: Solum aded, ut cogitet qui-
 libet vestrùm vel dicat, "Væ soli; quia, si ceci-
 derit, non habet sublevantem se." Sed reposta est
 mihi hæc spes mea in sinu meo, quoniam solus non
 est cum quo Dominus est, qui, cum ceciderit, non
 collidetur: supponit enim ipso Dominus manum
 suam.

Ut itaque veniamus ad rem, dicite, patres mei,
 exciditnè à vestrà memoriâ, quid ageretur mecum,
 et cum ecclesiâ Dei, dum adhuc essem in Angliâ;
 quid in exitu meo, quid post exitum, quid etiam
 agatur diebus istis; quid maximè apud Northam-
 tonam, *cum iterùm judicaretur Christus in personâ*
meâ ante tribunal Præsidis; cum arctaretur Can-
 tuariensis, ob injurias sibi et ecclesiæ Dei passim il-
 latas, et sine delectu, Romanam audientiam appel-
 lare; bona sua, quæ malè dicimus sua, cum sint
 bona pauperum, patrimonium crucifixi, quæ potiùs
 ei sunt commendata quàm donata, sub Dei ponere
 protectione et ecclesiæ Romanæ? Quis unquàm,
 etsi aliquando injustè proscriptum divina declaravit
 clementia, vidit, audivit, Cantuariensem judicari,
 condemnari, cogi ad fidejussionem in curiâ regis, à
 suis præcipuè suffraganeis? Ubi est inventa ista
 juris vel canonum autoritas adversa, immò per-
 versa perversitas? Ut quid enormitas ista non parit
 vobis erubesceniam, erubesceniam non immitrit con-
 fusionem, confusio non elicit pœnitentiam, pœni-
 tentia non excutit satisfactionem coram Deo et ho-
 minibus?

BOOK III. minibus? Ob tot quidem et tantas Deo et ecclesiæ ejus illatas injurias, immo mihi propter Deum, quas sustinere non debui salvâ conscientia meâ, nec sine discrimine vitæ meæ potui emendare, nec dissimulare sine animæ periculo, elegi potius declinare ad tempus, ut habitarem salubrius in domo Domini quàm in tabernaculis peccatorum, donec completa esset iniquitas, revelarentur corda iniquorum, manifestarentur cogitationes cordium. Ita tot injurarum illatio fuit causa appellationis meæ. Hæc fuit occasio recessus mei, quem dicitis inopinatum, qui magis, secundum ea quæ proponebantur adversum me, quæ agebantur mecum, si veritatem loquimini qui novistis, debuisset fuisse inopinatus, nè impediretur præscitus. Sed, Domino vertente casus adversos in melius, prospectum est Domini nostri Regis honori et suorum, ne quid fieret in me, in ipsius ignominiam et generationis suæ. Melius etiam consultum est iis qui suspirabant in necem meam, qui sitiebant sanguinem meum, qui adspirabant ad fastigium ecclesiæ Cantuariensis, ut vulgò dicitur et creditur, in nostram perniciem, utinam minus ambitiosè quàm avidè. Appellavimus et appellati sumus; rebus ecclesiæ Cantuariensis, nostrisque et nostrorum, sicut juris exigat ratio, in tuto manentibus, nostram prosecuti sumus appellationem. Si, nobis recedentibus, et in discessu nostro, omnia turbata sunt, prout dicitis, sibi imputet, qui causam dedit, qui hoc procuravit. Facientis proculdubio culpa hæc est, non recedentis; persequentis, non declinantis injurias. Damnum enim dedisse videtur qui causam damni dedit. Quid plura? Præsentavimus nos curiæ, nostras et ecclesiæ exposuimus injurias, adventus nostri causam et appellationis exposuimus: non adfuit qui nobis responderet vel in aliquo. Expectavimus, nec venit qui nobis aliquid objiceret. Nulla adversum nos reportata sententia, antequam

antequam veniretur ad Regem, nobis adhuc de BOOK III.
 more exspectantibus in curiâ, si fortè nobis aliquid
 exponeretur: ad nostros accessum est officiales;
 interdictum est eis, ne in aliquo super temporalibus
 nobis obedirent, ne nobis vel nostris quidquam mi-
 nistraretur ab ipsis citra mandatum regis et con-
 scientiam; te, frater Londoniensis, cum Richardo
 de Welcester et Eboracensi, sicut dicitur, distante
 sententiam. Festinatum est inde ad Dominum, Re-
 gem. Viderit ipse, in caput ejus convertatur, qui
 hoc dedit consilium. Sine judicio, sine ratione,
 post appellationem, nobis etiam adhuc in curiâ mo-
 rantibus, spoliata est ecclesia, spoliati sumus et nos
 cum nostris, proscripti et ipsi clerici cum laicis,
 viri cum mulieribus, mulieres cum infantibus in-
 cunabulis. Addicta sunt fisco bona ecclesiæ, patri-
 monium crucifixi: Pars pecuniæ conversa in usus
 regios, pars in tuos, frater Londoniensis, si vera sunt
 quæ audivimus, et tuæ ecclesiæ. Quam, si ita est,
 exigimus à te, præcipientes tibi in virtute obe-
 dientiæ, quatenus, intra quadraginta dies post
 istarum susceptionem literarum, quidquid inde tu-
 listi, vel in usus ecclesiæ tuæ conversum est, re-
 motâ omni occasione et dilatione, infra tempus præ-
 nominatum nobis integrum restituas. Iniquum
 enim est, et juri valdè contrarium, ecclesiam ditari
 de alterius ecclesiæ incommodo. Si laudas aucto-
 rem, scire debes, super rebus ecclesiæ ablatiis, eum
 legitimè non posse præstare auctoritatem qui violen-
 tam facit injuriam.

Quo ergo jure perverso, quo canonum ordine
 transposito, poterunt se tueri raptores sacrilegi, bo-
 norum ecclesiasticorum invasores, non restitutis ab-
 latis ecclesiæ? Opponentnè appellationis obstacu-
 lum? Absit. Quæ nova, immò quæ juri contraria
 introducitis in ecclesias istas? Videte quid agatis.
 Certè excutitur in vos faba ista, et in ecclesias

BOOK III.

vestras, si non melius vobis prospexeritis. Periculose enim ageretur cum ecclesiâ Dei, si raptor sacrilegus, alienorum bonorum inuasor, maxime ecclesiæ, tutus esset adversus eam appellationis auxilio. Frustrâ enim juris implorat auxilium qui juri non obtemperat, immo qui est juri contrarius. Suntne istæ injuriæ quas addimus injuriis, labores quos laboribus adjicimus, quia ista et alia enormia, quæ fiebant et quæ sunt in ecclesiâ istâ, non sustinimus, quia gravati appellavimus, quia recessimus a curiâ, quia ausi sumus super injuriis ecclesiæ et nostris conqueri, et super his omnibus non tacemus, quia ista paramus corrigere? Periculose certe affligitur cui saltem conquerendi solatium negatur. Vos, amici mei, qui altiora sapitis inter alios, qui geritis vos aliis prudentiores, quoniam solent filii hujus sæculi prudentiores esse filiis lucis, ut quid decipitis fratres vestros et subditos? Quare inducitis eos in errorem istum? Quæ auctoritas, quæ scriptura, contulit hanc principibus prærogativam in ecclesiasticis, quam vos vultis eis conferre? Nolite, fratres, nolite jura regni et ecclesiæ confundere. Discretæ quidem sunt potestates istæ, quarum una vim et potestatem sortitur ex aliâ. Legite scripturas, et invenietis quot et qui periére reges, qui nisi sunt sibi sacerdotale officium usurpare. Provideat ergo vestra discretio, ne ob istam pressura divina vos atterat injuriam; quam, si venerit, non effugietis de facili. Consulite etiam Domino nostro Regi, qui ejus comparatis gratiam ecclesiæ dispendio, ne, quod absit, pereat ipse, et domus ejus tota, sicut periére qui in consimili deprehensi sunt delicto. Si vero ab hoc incepto non destiterit, quâ animi conscientiâ non puniemus ista, quâ puritate conscientiæ ista dissimulabimus? Dissimulet quidem qui hanc habet dissimulandi auctoritatem; non ego, ne veniat in animam meam ista dissimulatio.

diffimulatio. Innuitis literis vestris, immò apertè dicitis, me, regno reclamante, ecclesiâ etiam suspirante et ingemiscente, fuisse promotum. Scitis quid dicat veritas? “Os, quod mendacium scienter loquitur, occidit animam.” Verba verò sacerdotis semper comitem debent habere veritatem. Deus bone, nunquid non erubesceret aliquis de plebe ita dicere? Consulite conscientias vestras, advertite formam electionis, consensum omnium ad quos spectabat electio, assensum principis per filium suum, et eos qui ad hoc missi sunt, filii etiam cum omnibus primatibus regni. Si aliquis eorum contradixit, si reclamavit vel in aliquo, loquatur qui noverit, dicat qui est conscius. Si verò inde turbatus fuerit aliquis, non dicat pro suâ molestiâ toti regno et ecclesiæ factam fuisse injuriam. Literas quoque Domini Regis, et omnium vestrâ diligentius attendite, postulantes nobis cum multâ instantiâ pallium, et obtinuisse. Sic se habet rei veritas. Verum, si quem torset invidia, si quem afflixit ambitio, si cui tam pacifica, tam legitima, tam sine contradictione facta electio dolorem et amaritudinem impressit animi, eatenus ut ob hoc machinetur et velit turbari omnia, indulgeat ei Dominus et nos, eò quod culpam suam minimè taceat, suamque animi indignationem in conspectu omnium publicè confiteri non erubescat.

Dicitis me de exili sublimatum ab ipso in gloriam. Non sum reverà *atavis editus regibus*. Malo tamen is esse, in quo faciat sibi genus animi nobilitas, quàm in quo nobilitas generis degeneret. Fortè natus sum de paupere tugurio! Sed, cooperante Divina Clementiâ, quæ novit facere misericordiam cum servis suis, quæ eligit humile ut confundat fortia, in exilitate mea, antequam accederem ad ejus obsequium, fatis copiosè, fatis abundanter, fatis honorificè, sicut ipsi novistis, prout abundantius in-

BOOK III. ter vicinos meos et notos, cujuscumque conditionis fuerint; conversatus sum. Et David, de postfœtante assumptus, constitutus est ut regeret populum Dei; cui aucta est fortitudo et gloria, quoniam ambulavit in viis Domini. Petrus verò, de arte piscariâ electus, factus est ecclesiæ princeps, qui sanguine suo meruit pro nomine Christi in cœlis habere coronam, et in terris nomen et gloriam. Utinam et nos similiter faciamus. Successores enim Petri sumus, non Augusti. Novit Dominus, quo intuitu nos ipse desideraverit sublimari. Respondeat ei sua intentio, et nos respondebimus ei pro officii nostri debito, fidelius, per misericordiam Dei, in severitate, quàm qui blandiuntur ei in mendaciis. Meliora enim sunt verbera amici, quàm fraudulenta oscula inimici.

Impingitis nobis ingratitude notam per quandam insinuationem. Credimus quia nullum peccatum criminale est, qui importet infamiam, nisi processerit ex animo. Unde, si quis homicidium invitus commiserit, etsi homicida dicatur et sit, non tamen homicidii reatum incurrit. Sic dicimus: Etsi Domino nostro Regi obsequium debeamus jure Dominii, si teneamur ad reverentiam præstandam jure Regio, si Dominum sustinuimus, si filium paterno affectu convenimus, si in conventum, non auditi et dolentes, necessitate officii censuram severitatis exercemus, plus credimus nos pro ipso facere, et cum ipso, quàm contra ipsum; plus ex eo promereri gratiam, quàm ingratitude notam, vel poenam. Sæpissimè certè beneficium confertur invito. Unde commodius ejus prospicitur indemnitati, qui, etsi non aliàs, urgente necessitate revocatur a perpetratione delicti. Præterea defendit nos ab ingratitude notâ Pater noster et Patronus, qui est ipse Christus. Jure Paterno tenemur ad ejus obedientiam, quâ non observatâ puniemur justâ exhæreda-

~~exhæredationis~~ poenâ. Potest enim Pater exhære- BOOK III.
dare filium ex justâ causâ. Ipse enim dicit, “ Si
non annuntiaveris impio iniquitatem suam, et mo-
riatur in delicto suo, sanguinem ejus de manu tuâ
requiram.” Ergo si delinquentem non convenimus,
si non audientem non corripimus, si pertinacem
non coërcemus, committimus in mandatum, et
tanquàm inobedientiæ rei jure exhæredamur. Jure
patronatûs, quo ejus sumus liberi, quoniam, cum
essemus servi peccati, facti sumus liberi justitiæ per
ejus gratiam, obligamur ei ad reverentiam et ob-
sequium. Unde quoniam nemini, nisi salvâ ejus
fide, tenemur obnoxii, si sit contra eum, in dispen-
dium ecclesiæ, pertinaciter, meritò, si non punimus
commissum, pro eâ parte sollicitudinis in quam
vocati sumus, collarum revocabit à nobis ob ingra-
titudinem ipse solus beneficium, ex quo verè appare-
bimus ingrati.

Proponitis nobis periculum ecclesiæ Romanæ,
jacturam temporalium, periculum quidem nostrum et
nostrorum : nec fit mentio de periculo animarum.
Intentatis etiam comminatorium de recessu Domini
Regis quod absit, a fidelitate et devotione Romanæ
ecclesiæ. Absit, inquam, ut Domini nostri Regis,
devotio et fides, ob temporale commodum vel in-
commodum, à fidelitate et devotione discedat ec-
clesia. Quod quidem criminale et damnable esset
in privato, nedum in principe, qui multos secum
trahit post se. Absit etiam, quod quis ejus fidelis
hæc unquam cogitare debeat, nedum dicere sub-
jectus aliquis, nedum episcopus. Videat discretio
vestra, ne oris vestri verba inficiant aliquem, vel
plures, in animæ suæ dispendium et damnationem,
ad instar calicis aurei, qui dicitur Babylonis, in-
terius et exterius veneno illiniti, de quo cum quis
biberit, non timeat venenum, cum viderit aurum,
et sic in publicum veniat vestri operis effectus.
Ille enim, qui non fallitur, opus furtivum producit

BOOK III. in lucem, et machinationes denudat iniquas. In tribulatione quidem et sanguinis effusione consuevit ecclesia crescere et multiplicari. Proprium enim est ecclesiæ, ut tunc vincat cum læditur, tunc intelligat cum arguitur, tunc obtineat cum deseritur. Nolite ergo, fratres, super ipsam flere, sed super vos ipsos, qui facitis vobis nomen, sed non grande, ex hoc facto et dicto ex ore omnium; qui provocatis in vos Dei odium et universorum; qui paratis innocenti laqueum, qui cuditis novas et ingeniosas rationes in subversionem libertatis ecclesiæ. Fratres, per misericordiam Dei, in vanum laboratis. Stabit enim ipsa ecclesia, etsi sæpius concussa, in eâ fortitudine et firmitate, in quâ firmiter fundata est, donec filius ille perditionis surgat, quem non credimus de partibus occidentalibus adscensurum, nisi perversè mutatus fuerit ordo rerum, et series scripturarum. Si verò de temporalibus agatur, plus timere debemus animæ periculum, quàm temporalium. Scriptura verò dicit, *Quid prodest homini totum mundum lucrari, animæ verò suæ sustinere dispendium?* Periculum itaque nostrum et nostrorum penitus abjicimus. Non enim timendus est ille qui corpus perdit, sed qui corpus et animam.

Arguitis nos super suspensione venerabilis fratris nostri Saresberienſis episcopi, et excommunicatione Joannis illius schismatici ex-decani, prius, ut dicitis, inflicta pœnaliter, quàm de cognitione processu legitime, quàm de ordine judiciorum canonicè prodita. Respondemus quoniam utrumque istorum notavit iusta pœnæ sententia, illum suspensionis, excommunicationis istum. Si perfectè tenetis negotii seriem, si rectè attenditis judiciorum ordinem, non erit, ut credimus, hæc vestra sententia. Hoc eundem habet autoritas, quæ vos latere non debet, quoniam in manifestis et notoriis non desideratur
ista

ista cognitio. Perpendite diligentius, quid actum BOOK III.
 sit à Saresberiensī super decanatu post domini papæ prohibitionem et nostram, sub excommunicatione factam, et tunc rectius intelligetis, si de manifestâ inobedientiâ suspensio rectè sequitur. Unde beatus Clemens; *Si prælatis suis non obedierint cujuscumque ordinis universi, omnesque principes tam inferioris quam superioris ordinis, atque reliqui populi non solum infames, sed etiam extorres a regno Dei, et consortio fidelium, et à liminibus sanctæ Dei ecclesiæ alieni erunt.*

De Joanne de Oxeneford dicimus, quia diversis modis excommunicantur diversi: Alii lege eos denunciante excommunicatos, alii sententiâ notati, alii communicatione et participatione excommunicatorum. Illum verò, quoniam incidit in hæresim damnatam communicando schismaticis, et domini papæ excommunicatis, reatumque et maculam excommunicationis in se contraxit, quæ pestis, more lepræ, inficit et intingit, consimilique poenâ facientes et consentientes confundit; et quoniam contra domini papæ mandatum expressum, et nostrum, sub anathemate, decanatum Saresberiensē excommunicatus usurpavit, denunciavimus, et excommunicavimus, et excommunicatum firmiter tenemus. Et quod de eo factum est in decanatu, et super decanatu, cassavimus et cassatum tenemus, sicut et dominus papa jam ipsemet cassavit auctoritate octavæ synodi, cujus hæc est sententia: *Si quis palam vel absconsè cum excommunicato locutus fuerit, aut junctus communione, statim in se contrahit excommunicationis poenam.* Et concilium clarè dicit: *Qui communicaverit cum excommunicato, si clericus est, deponatur.* Videat ergo discretio vestra, ne quis vestrum cum eo communicaverit. Calixtus enim Papa dicit: *Excommunicatos quosque a sacerdotibus nullus recipiat ante utriusque partis examinationem, justam,*

BOOK III. *justam, nec cum eis in oratione, aut in cibo aut potu, aut osculo communicet, aut ave eis dicat. Quia quicumque in his vel aliis prohibitis scienter excommunicatis communicaverint, juxta Apostolorum institutionem simili excommunicationi et ipsi subjacebunt. Hic est ordo canonicus, non canonibus, ut credimus, incognitus, sed autoritate canonum fultus.*

Et ne miremini, si quandoque condemnatur absens. Legite Paulum, qui absens publicè fornicantem cum noverca sua, non convictum testibus, non confessum, etiam absentem, cujus crimen omnes sciebant, et non arguebant, sicut vos istius, quem non de jure defendit regia potestas, ejecit a cœtu fidelium, et judicavit eum tradi Sathano in interitum carnis, ut spiritus salvus fieret, sicut nos istum. Cæterùm quoniam hoc tempore in partibus nostris multa hujusmodi, et satis gravia, in absentia nostrâ fiunt enormia, quæ de cætero, sicut absentes corpore, præsentem tamen autoritate, salvâ animi nostri conscientia, præterire non debemus, nec possumus, incorrecta, tibi, frater Londoniensis, qui nôsse debueras illud Gregorii septimi, *Si quis episcopus fornicationi presbyterorum aut diaconorum, vel crimini incestus, in sua parochiâ, pretio, precibusve, sive gratiâ interveniente consenserit, vel commissum auctoritate sui officii non impugnaverit, a suo suspendatur officio.* Illudque Leonis: *Si qui episcopi talem consecraverint sacerdotem, qualem esse non liceat, etiam si aliquo modo damnam proprii honoris evaserint, ordinationis jus alterius non habebunt, nec ulli unquam sacramento intererunt, quod immerito præstiterunt.* Quoniam in istorum sententiam canonum, sicut pro certo audivimus, deliquisti dupliciter, mandamus tibi, et in virtute obedientiæ mandando injungimus, quatenus, si ita est, infra tres menses post istarum susceptionem literarum, venerabilium fratrum vestrorum cœpiscoporum consilio, de tanto excessu sic studeas

te offerre correctioni et satisfactioni, ne cæteri tuo BOOK III.
 exemplo in consimile delictum incidant, et nos pro
 negligentia tuâ debeamus tibi severius mandatum
 proponere.

Opponitis nobis contra metum gravaminum, non
 remedium per appellationem, sed impedimentum,
 quo minùs, sicut intelligimus, exerceamus adver-
 sùm malefactores, invasores bonorum ecclesiastico-
 rum, disciplinæ censuram ecclesiasticæ; ne in do-
 minum nostrum regem, vel terram suam, in per-
 sonas vestras et ecclesias, aliquid statuamus eo ordine,
 quo progressi sumus contra Saresberiensem, sicut di-
 citis, et ejus decanum. Absit à nobis, ut aliquid in
 eum vel terram suam, in vos et ecclesias vestras, in-
 ordinate statuerimus vel statuamus. Sed quid est,
 si eo delinquitis modo, vel consimili, quo jam deli-
 quit Saresberienfis, numquid hac appellatione po-
 testis suspendere auctoritatem nostram, ne in vos
 vel ecclesias vestras severitatis disciplinam exercea-
 mus, si delicti enormitas hoc exiget? Advertite di-
 ligentiùs, si hæc legitima appellatio, et quæ sit hæc
 appellationis forma. Scimus quoniam omnis ap-
 pellans aut suo nomine appellat, aut alieno. Si
 suo, aut à gravamine quod ei infertur, vel quod
 timet sibi inferri. Certum tenemus, quòd nullum
 vobis gravamen, Deo gratias, a nobis illatum est,
 unde debeatis ad appellationis confugere remedium.
 Nec credimus vos ad præsens habere causam ad-
 versùm nos aliquam, quæ specialiter vestra sit. Si
 contra metum gravaminum, ne quid de cætero sta-
 tuam in vos vel ecclesias vestras, videte si sit iste
 metus qui debeat cadere in homines constantissimos;
 si hæc sit appellatio quæ debeat suspendere omnem
 auctoritatem et potestatem nostram, quam habemus
 in vos et ecclesias vestras. Creditur verò a sapien-
 tibus, credimus et hos, eam nullius esse momenti,
 tum quia formam appellationis habere non videtur,
 tum

BOOK III. tum quia rationi consentanea non est, immò totius
 } juris penitus auxilio destituta.

. Si alieno appellastis nomine, aut Domini Regis, aut alterius. Si non alterius, Domini Regis. Si Domini Regis, certè nōsse debuerat discretio vestra, quoniam introductæ sunt appellationes ad propul-
 tandam injuriam, non ad inferendam; ad suble-
 vandos oppressos, non ad amplius opprimendos. Unde si quis, non confidentiâ justæ causæ, sed causâ
 afferendæ moræ, ne contra eum feratur sententia, appellaverit, hujusmodi appellationem non esse reci-
 piendam. Quis enim erit ecclesiæ status, si, sub-
 versâ ejus libertate, si, rebus ejus occupatis ac de-
 tentis, episcopis à propria sede expulsis, vel non
 pacificè cum omni securitate omniumque ablatorum
 restitutione admissis, raptores, occupatores, invalores,
 ne coërceantur, liberè appellaverint, et se defen-
 derint per appellationem? Quæ erit ista ecclesiæ
 destructio? Videte quid agatis, quidque dicatis,
 Nonne vicarii Christi estis, nonne vices ejus in terra
 geritis, nonne vestrum est convenire, corripere,
 coërcere malefactores, ut vel sic desistant ecclesiam
 Dei persequi? Ut quid non nimis est, si ipsi sævi-
 erint in ecclesiam, nisi et nos, pro eis, vobis ipsis et
 ecclesiæ in ejus perniciem opponatis? Quis unquam
 audit hæc mirabilia? Et audietur et prædicabitur
 in omni populo et gente, suffraganeos Cantuariensis
 ecclesiæ, qui cum metropolitano suo, ob defen-
 sionem ecclesiæ ejusque libertatis, deberent vivere
 et mori, omniaque sustinere dispendia, velle ad
 mandatum regium, quantum in ipsis est, suspendere
 potestatem ipsius et auctoritatem, ne severitatis dis-
 ciplinam exerceat in delinquentes adversus ecclesiam.
 Unum certè scio: Duorum personam simul genere
 non rectè potestis, appellantium et appellatorum.
 Vos estis qui appellastis, vos estis adversum quos
 appellatur. Nonne una est ecclesia, et vos de cor-
 pore

pore ejus estis? En certamen satis legitimum, satis canonicum, ut qui membra sunt ecclesiæ ineant certamen cum capite suo, quod est Christus. Timeo, fratres, ne, quod absit, dicatur de vobis, *Isti sunt sacerdotes qui dixerunt, ubi est Dominus? Et tenentes legem nescierunt eam.* Præterea discretionem vestram latere non credimus, quoniam non solent audiri appellantes, nisi quorum interest, aut quibus mandatum est, aut qui negotium gerunt alienum. Interestne vestra, ut non coërceantur delinquentes adversus ecclesiam? Absit. Immò certe contrarium. Si verò qui subvertit ecclesiæ libertatem, qui bona ipsius invadit et occupat, ac in suos convertit usus, in sui defensionem minimè super hoc auditur appellans, multò minus et pro eo appellantes. Ergo nec Domino Regi suffragatur à vobis pro ipso edita, nec videtur vobis prodesse pro ipso appellatio emissa. Unde si in hoc casu appellare non potest, nec mandare, sic nec vos super hoc ab ipso mandatum suscipere. Adjicimus etiam vos in parte istâ nullatenus ejus gerere posse negotium. Nemo enim episcoporum alterius contra se negotium gerere potest, maximè in oppressione ecclesiæ, cujus ipse defensor est; et præsertim unde generaliter læditur ecclesiæ conditio. Ergo si nec vestra interest appellare, nec super hoc mandatum valetis suscipere, nec alienum gerere negotium, nec auditur appellatio vestra, nec de jure tenetur. Est-ne ista devotio, consolatio vestra, paternæ charitatis affectus metropolitano vestro, pro vobis omnibus exulanti, a fraternitate vestrâ exhibitus? Indulgeat vobis Deus hanc inclementiam. An ignoratis, fratres, quoddam chaos magnum, in fraudem legis et canonum, inter nos et vos firmatum sit, ut non possit aliquis de nostris sine discrimine capitis, vel captionis, vel truncationis membrorum, ad vos transire; etsi de vestris aliqui liberius possunt, si vellent,

BOOK III. vellent, ad nos transmeare? Et idcirco miramur, quem ordinem exigitis, ubi nullus ordo circa nos, circa ecclesias vel ecclesiasticas personas, sed horror, qui utinam sempiternus non sit, et injuriæ observantur; cum spoliati simus, et nostri. Quorum quidam, tam clerici quàm laici, capti, redempti sunt post appellationem factam apud Northamptonam, et vestram adversum nos. Cùm etiam, post istam, quam dicitis, appellationem, edictum generale sit propositum, sicut dicitur, ut nemo de nostris inventus sit in terrâ Anglicanâ, qui non capiatur; nemo vestrûm vel aliorum amicorum nostrorum literas nostras vel nuncios audeat suscipere, est hæc reverentia appellationi debita, exhibita, et observata, infra cujus tempus, si justa est, nil innovari oportet? Vos ipsi videritis. Quo ergo jure, quo ordine desideratis à nobis literas vestras et nuncios benignè suscipi et audiri? Non hoc ideò dicimus, quidquid nobiscum agatur et cum nostris, ut quidquam circa personam Domini Regis vel terram suam, circa personas et ecclesias vestras unquam inordinatè fecerimus, vel per Dei misericordiam facturi simus.

Credebamus quidem, si rectè intelligitis, si cupitis utiliter ecclesia subvenire, de nimis ordinatâ et longâ patientiâ magis à vobis culpari, quam de severitatis morâ commendari. Mora enim trahit ad se periculum. Quia nimis ordinata patientia plus habet remissionis quàm commendationis, plus vitii quàm virtutis. Et inde est, quòd breviter vobis dicimus et affirmamus constanter, Dominum nostrum Regem nullatenus fore injustè gravatum, si adversus eum, à Domino Papâ et à nobis ipsi, legitime literis et nuntiis ac sæpissimè conventum, satisfacere, cum possit, nolentem, severitatis censura processerit. Non enim injustè gravatur, quem jus punit legitime. Et ut omnia brevissimo sine

concludam, certum tenete, quoniam raptores, in-
valores, occupatores bonorum ecclesiæ, ejusque
libertatis subverfores, nec tuetur juris autoritas,
nec appellatio defendit. Præterea, fratres, si cupi-
tis ei prodesse, prout justum est, quod et nos cu-
pimus, novit Deus, qui scrutator est cordium, pro-
curate ei subvenire illo modo, quo non offendatis
in Deum, non in ecclesiam, non in ordinem vestrum;
quo etiam expeditius et salubrius animæ suæ peri-
culum, quod jam in foribus est, valeat evadere.
Hæc idcirco diximus, si, inspirante ei divinâ ele-
mentiâ, de consilio vestro satisfecerit ecclesiæ,
gaudebit ipsa de filii sui reversione, et cum gratia-
rum actione et devotione multiplici parata fuit et
est semper eum suscipere. Gaudebimus et nos.
Judicium verò vestrum, quo dicitis eum satisfacere
volentem, paratum etiam satisfacere, si super aliquo
de libertatibus ecclesiæ inter ipsum et nos, sicut
dicitis, orta est contentio, quod quidem satis mira-
mur si alicui vestrum hoc est in dubium, cum toti
ferè mundo sit notum; quoniam non est consentaneum
rationi, immò penitus juri contrarium, si non suscipi-
mus, immò quia non suscipimus, in quo delinquimus?
Estne causa ista sufficiens, estne peremptoria, quo
minùs sæpissimè et canonicè conventus, non satisfa-
ciens, injurias superaddens injuriis, severitate divinâ
coërceatur? Absit. Scimus enim vos nullâ ratione
in hac causâ judicis officio inter ipsum et nos fungi
posse. Jam quia adversarii ejus estis et esse debetis
in eâ ob defensionem libertatis ecclesiæ, ejus
partis defendendæ, officii vestri necessitate, cura
vobis commissa est, et sollicitudo credita: Quam
si negligenter omittitis, si periculose dissimulatis,
vos ipsi videritis. Tum quia non legimus supe-
riores ab inferioribus, metropolitanos maximè à
suis suffraganeis, judicari posse. Tum quia nobis
et ecclesiæ quidam vestrum suspecti sunt, utinam non
omnes!

BOOK III. omnes! diversis rationibus, quas in præsentitacemus.

Audiat itaque Dominus meus postulationem fidelis sui, consilium episcopi, patris exhortationem, ut beneficiat ei Deus, et augeat dies ejus, et annos filiorum ipsius in tempora longa. Permittat ecclesiam frui pace et libertate sub ipso tanquam sub Rege Christianissimo; ecclesiam Romanam uti jure et libertate in terrâ suâ, quam habere debet, et habet in cæteris regnis. Restituat Cantuariensi ecclesiæ et nobis jura sua et libertates, et omnia ablata cum pace et securitate nostrâ, ut liberè et quietè possimus Deo militare sub ipso, et ipse debeat obsequio nostro uti, prout ei placuerit, salvo honore Dei et ecclesiæ Romanæ, et ordine nostro. Istæ sunt dignitates Regiæ, leges optimæ, quas petere debet Rex Christianissimus et observare; quibus gaudere debet et sub ipso florere ecclesia. Istæ sunt leges obtemperantes legi Divinæ, non derogantes, quas qui non observaverit, inimicus Dei constituitur. *Lex enim Domini immaculata, convertens animas.* De legibus enim suis dicit Dominus, *Leges meas custodite.* Et propheta, *Væ qui condunt leges iniquas, et scribes scripserunt injurias, ut opprimerent pauperes in judicio, et vim facerent causæ humilium populi Dei.* Non erubescat ergo Dominus meus redire ad cor, humiliari in cordis contritione et humilitatis mansuetudine coram Domino, satisfacere ei et ecclesiæ ipsius de illatis injuriis. Cor enim contritum et humiliatum Deus non despicit, sed amplectitur sincerius. Sicut et Sanctus David, qui cum peccasset, humiliavit se coram Domino, petivit misericordiam, et obtinuit veniam. Sic et Rex Ninive et civitas tota, cum interminata esset subversionis severitas, quoniam in cinere et cilicio humiliavit se Domino, mutatâ sententiâ

sententiâ meruit ultionis censuram contritione cordis BOOK III.
et lachrymarum compunctione redimere.

Non hæc, fratres, vobis scribimus, ut facies vestras confundamus, sed ut, lectis literis nostris et intellectis, valeatis et velitis officii vestri necessitates fortius et validius exercere. Opto vos de cætero semper melius agere, ut sit nobis pax celerior, et amplior libertas ecclesiæ. Orate pro nobis, ut non deficiat in tribulatione istâ fides nostra, sed et securè possimus dicere cum Apostolo, *Quia neque mors, neque vita, neque angeli, neque aliqua creatura, poterit nos separare à charitate Dei, quæ subiecit nos tribulationi, donec veniat qui venturus est, qui faciet nobiscum misericordiam suam, et ducet nos in terram promissionis, terram fluentem lacte et melle, quam non dabit nisi diligentibus se.* Valete omnes semper in Domino; et instantius oret, petimus, pro nobis tota Anglicana ecclesia *.

N° VI.

This refers to
vol. iv. p. 125.

*Ep. cviii. Lib. i. Tho. Cantuar. Archi-episc.
Gilberto Londoniensi Episcopo.*

*Thomas Cantuariensis Ecclesiæ humilis Minister Gil-
berto Episcopo Londoniensi, quod semel hoc iterum,
sic transire per bona temporalia, ut non amittat
æterna.*

MIRANDUM et vehementer stupendum,
Virum prudentem, sacris literis eruditum,

* There are many faults in the printed Bruxelles Edition of the foregoing Letter, which have been mended here from the manuscripts, and particularly the Cottonian; but, from the obscurity of some sentences, I apprehend that some errors remain in all the copies that I have been able to consult.

VOL. IV.

H h

præsertim

BOOK III. præsertim Religionem habitu præferentem, aded manifestè, ne dicam irreverenter, et timore Dei postposito, averfari veritatem, justitiæ resistere, et ad omne fas nefasque confundendum, statum sanctæ Ecclesiæ, quam ipse fundavit Altissimus, velle avertere. Veritas est quæ dicit; *Portæ inferi non prævalebunt adversus eam*. Non sani igitur capitis esse dignoscitur, qui intentat ei ruinam; homini similis montem magnum fune circumligatum tentanti dejicere. Sed nunquid irâ vel odio deferbui; ut exacerbatus jaculari compellar hujusmodi verba in fratrem meum, et collegam et coëpiscopum meum? Absit. Sed de literis tuis, quas mihi per archi-diaconum tuum destinandis accepi, talia collegi. Neque enim de spinis uvas, aut ficus de tribulis colligere potui. Ut clareat an ita sit, proponamus eas, et continentiam earum in lucem proferamus. Finis collatus principio similitudinem scorpionis conformat: Illo blandiens ad nos ingreditur, illo pungens nos acerbè silentium nobis imponere machinatur.

Quid enim aliud est primò recognoscere debitam nobis subjectionem, et subjectioni coherentem obedientiam promittere, demum, ne obedire debeas, ad appellationem convolare? Nunquid apud me sunt *est et non*, dicit Apostolus. Sed neque apud Apostoli deberent esse discipulum. Necessariò acceperunt discipuli a Domino potestatem calcandi super serpentes et scorpiones. Habitat enim Ezechiel et hodiè cum scorpionibus. Et illud vide quo sensu dixeris: *Ad appellationis remedium confugimus*. Christi sequelam te dicis: in hoc dicto secus inveniris. Omnium enim malorum nostrorum efficac, immo efficacissimum remedium commendavit nobis Christus obedientiam; non solum verbo, sed evidentissimo exemplo, factus obediens patri suo usque ad mortem. Et in quâ fronte appellas

pellas remedium obedientiæ impedimentum? Quod non remedium, sed detrimentum, rectius debet nominari. Sed et quâ fiduciâ hoc præsumis? sperasne te habiturum defensorem ad non obediendum illum, qui vindicandi in omnem inobedientiam et officium accepit et præceptum? Malè est hoc sperare de eo, et in ipsum graviter offendere. Pòterant te retardare ab hujusmodi præsumptione, quas jam passus es, prima et secunda repulsiò. Viva quippe vox tua primum; et deinde literæ tuæ ad persuadendum compositiæ, expertæ sunt quàm firmiter stet, quàm sit vicarius Petri, quem non precibus, non thõnis, nec comminationibus, vel promissis, movere potuisti. Sed tertio attentandus est, ut Domini sui exemplo tertiâ attentatione triumphum repottet.

Porro, ut nihil deesset gravaminis, defixisti terminum tuæ appellationi anni ferè spatium: Nec misertus est nostri exilii, vel laboris sanctæ ecclesiæ, sponsæ Christi, quàm ipse sibi suo sanguine acquisivit. Et, ut hæc omittam, noni omittenda tamen, providere debueras, cui te favere dicis, Domino nostro Regi, qui quamdiu sic aget in nos, vel in ecclesiam Christi, nec ad bella procedere, vel in pace degere, sine animæ suæ periculo poterit. Ad reliqua transeamus. Quædam commemoras turbata esse in discessu et ex discessu nostro. Timeanturbationis hujus authores et consilarii, ne et ipsi turbentur. Magnis me laudibus extollis, quasi de bono principio meæ peregrinationis. Est quidem sapientis famam non negligere, sed discreti est nulli magis de se quàm sibi credere. De injuriis infimulor, quasi illatis Domino nostro Regi. Sed, quia nullam designas ex nomine, nec ego scio cui respondere debeam. Quia igitur superficie tenus accusor, superficie tenus in hac parte me excuso. Hoc tamen interim accipe responsum, quia nullius mihi conscius sum, nec propterea justificatus sum. De

BOOK III. *comminatorio minaris, quod nos in eum misimus.*
 Quis pater videt filium aberrare, et tacet? Quis virgâ non percutit, ne gladium incurrat? Desperat pater de filio, quem comminatione non corripit vel flagello: Absit autem ut tecum sentiamus Dominum nostrum Regem, impatientem correptionis, ad exterminationem Apostasiæ lapsurum. Non enim patris cælestis plantatio eradicabitur. Navem concutit sævissima tempestas: Clavum teneo, et ad somnum me vocas. Congeris et statuis ante oculos nostros beneficia nobis à Domino nostro Rege collata, et de exili me commemoras ad summa pro-
 vectum. Ut autem his aliquantisper respondeam, in insipientiâ meâ tamen, de quàm exili, putas? si tempus, quo me in ministerio suo præstituit, respicias, archidiaconatus Cantuariæ, præpositura Beverlaci, plurimæ ecclesiæ, præbendæ nonnullæ, alia etiam non pauca, quæ nominis mei erant possessio tunc temporis, adeo tenuem ut dicis, quantum ad ea quæ mundi sunt, contradicunt me fuisse. Quod si ad generis mei radicem et progenitores meos intenderis, cives quidem fuerunt Londonienses, in medio concivium suorum habitantes sine querela, nec omnino infimi. Sed ut aliquando, mundi tenebris semotis, judicemur à lumine veritatis, quid gloriosius, nasci de mediocribus vel etiam infimis, an de mundi magnatibus et honoratis; cum dicat apostolus, *Inboneſtiora membra corporis noſtri abundantiori circumdamus bonore?* *Stemmata quid faciunt*, ait gentilis poeta. Quid habet dicere christianus, episcopus, et religiosus? Sed fortassis de exigitatis meæ memoriâ notam confusionis mihi objicere voluisti. Confundere vero Patrem quantum cedat in reatum ipse videris, ex præcepto, quod de honorando Patre accepisti.

Pro gratiâ vero Regis nobis commendandâ, commemoratione beneficiorum ejus non multum fuit laborandum.

laborandum. Testem enim Deum invoco, nihil BOOK III.
sub sole me gratiæ ipsius et salutis præponere :
Tantum salva sint quæ Dei sunt et sanctæ ecclesiæ.
Non enim aliter poterit feliciter regnare vel securè.
Esto, quia ita est. Multo sunt plura, etiam ampli-
ora, quam tua explicet oratio, beneficia ejus erga
me. Debuine pro his omnibus, vel etiamsi cen-
tumplicarentur, ecclesiæ Dei libertatem exponere?
Quandò minus pro famæ meæ, quæ sæpius à vero
deviat, conservatione? Si minus in aliis egi, in hoc
nec tibi nec alii parco, nec angelo, si descenderit
de cælo; sed statim, ut audiero talia commonen-
tem, audiet ex me; *Vade retro, Satana, non sapi-
quæ Dei sunt.* Absit a me ista dementia: Avertat
à me Deus dementia istam, ut aliquatenus per-
suadeat aliquibus tergiversationibus inire commercii-
um de Christi corpore, unde ego Judæ venditori,
et Dominus meus Judæis assimiletur emptoribus
Christi.

De promotione verò meâ, quam scribis factam
matre Domini Regis dissuadente, Regno reclamante,
ecclesiâ, quoad licuit, suspirante, hoc tibi respondeo;
Quod Regni reclamationem non audivimus, sed
potius acclamationem. Dissuasio vero genetricis
Domini nostri, si fuit, usque ad publicum non
prodiit. Potuit autem fieri aliquas ecclesiasticas
personas, ad eandem promotionem, ut solet, ad-
spirantes, suspirasse, cum se sentirent ab eâ, quam
conceperant, spe decidere: Qui et hodie fortassis,
in ultionem sui casus præsentis dissensionis authores
sunt et consilarii. Sed *væ illi, per quem scandalum
venit.* Prætaxatis verò obstaculis, et aliis, si quæ
fuerunt, Divina prævaluit dispensatio, ut est hodie
cernere. Exigor itaque ab eo, qui est ipsa justitia,
nulli omnino eum postponere, qui me statuit in grad
istò suâ miseratione.

BOOK III.

Illud etiam, quod ad justificandum Dominum Regem videris proposuisse, judicavi non prætereundum leviter, vel absque discussione. Et utinam à justitiâ non dissentiret, et nostra adversus eum minus iusta appareret querela. Dicis ipsum ad satisfaciendum semper fuisse paratum. Hoc te confidenter dicere, hoc te asseris prædicare. Sustine igitur paulisper, et ad interrogata responde. Illud quod dicis paratum ad satisfaciendum, quo sensu intelligis? Illos, quorum se Deus dicit patrem et iudicem, orphanos, pupillos, viduas, innocentes, et omnino quæ nos movet controversiæ ignaros, vides proscribi, et taces; clericos exterminari, et non re-clamas; alios bonis suis spoliari et contumeliis affici, et non contradicis; servientes meos in vincula conjici et teneri, et obmutescis; matris tuæ Cantuariensis ecclesiæ bona diripi, et non resistis; me patrem tuum gladios cervici meæ jam jam imminentes vix evasisse, et non doles: sed quod deterius est, cum persecutoribus meis, et in me Dei et ecclesiæ ipsius, et hoc non in occulto, stare non erubescis. Estne hoc satisfacere, perpetrata mala non corrigere, et malis deteriora de die in diem adjicere? Sed fortassis illud in contrarium intelligis, ut sit hoc satisfacere, scilicet voluntati impiorum deservire, secundum illud; *Inebriabo sagittas meas sanguine.*

Sed dicis mihi: *Pater mi, de quibus me calumniaris, absolvo me paucis. Tunica mea timeo.* Verum est, fili mi, et nimis verum respondes. Et ideo gladium non habes. Quod enim scribis, ipsum paratum stare iudicio Regni sui, quasi condigna satisfactio sit hæc, quis est in terrâ, vel etiam in cælo, qui de Divina dispositione præsumat judicare? Humanâ judicentur, Divina penitus inconcussa relinquantur. Quanto melius, frater mi, illi salubrius, tibi securius, intimares ei, et persuadere modis omnibus elaborares, voluntatem Dei, de conservandâ pace

pace ecclesiæ suæ, de non appetendis his, quæ con-BOOK III.
cessa non sunt ejus administrationi, de honorandis sacerdotibus Dei, nec qui sint attendat, sed cujus servi sint?

In Sarisberiensem episcopum, et Johannem de Oxeneford, non decanum, ut dicis, sed decanatûs invasorem, me præjudicio abusum calumniaris. Sed meminisse debuisti quædam manifesta præcedere ad judicium. Et motum te dicis. Quidni? *Ucalegon trepidat, paries cum proximus ardet.* Et utinam benè movearis ab eo, in quo non benè fecisti. Sciat ergo et intelligat, te intimante, Dominus meus, quia qui dominatur in Regno hominum, sed et angelorum, duas sub se potestates ordinavit, Principes et Sacerdotes; unam terrenam, alteram spirituales; unam ministrantem, alteram præminentem; unam cui potentiam concessit, alteram cui reverentiam exhiberi voluit. Qui verò his vel illis de suo jure subtrahit, Dei ordinationi resistit. Non indignetur itaque Dominus noster deferre illis, quibus summus omnium deferre non dedignatur, Deos appellans eos sæpius in sacris literis. Sic enim dicit; *Ego dixi, Dii estis, &c.* Et: *Constitui te Deum Pharaonis.* Et: *Dii non detrahes;* Id est, sacerdotibus. Et de eo qui jurgaturus erat, loquens per Moysen ait; *Applica illum ad Deos;* id est, ad sacerdotes. Nec præsumat Dominus noster judices suos velle judicare. Terrenis enim potestatibus non sunt commissæ claves Regni cælorum, sed sacerdotio. Inde scriptum est, *Labiæ sacerdotis custodient scientiam, et legem requirent ex ore ejus, quia Angelus Domini exercituum est.* Paulus etiam dicit: *Nonne Angelos judicabimus? quanto magis homines?*

Illud etiam, te suggerente, commemoretur Domino nostro, dignum memoriâ et imitatione, quod in ecclesiasticâ historiâ legitur de Constantino im-

BOOK III. { peratore, cui cùm oblatae fuissent scripto actiones contra episcopos, accusationis quidem libellos accepit, et accusatos convocans in eorum conspectu eosdem incendit, dicens: *Vos Dii estis a vero Deo constituti: ite, et inter vos causas vestras disponite: quia dignum non est ut nos homines judicemus Deos.* O magnum imperatorem! O discretè regnantem in terrâ! quæ aliena sunt non usurpantem, et Regnum æternum in cælo promerentem! Studeat itaque Dominus Rex tantum, tam discretum, tam felicem imitari principem, cujus et memoria laudabilis frequentatur in terris, et vita perpetua ac gloriosa habetur in cælis. Alioquin timeat quod in Deuteronomio Dominus minatus est, dicens; *Homo quicumque fecerit in superbiâ, ut non exaudiat sacerdotem aut judicem, morietur.* Ad hoc enim vocatus est, et in hoc ipsum temporalis Regni pax, de quâ nos communes, ministratur ei de cælo. Alioquin non salvatur Rex per multam virtutem suam, nec si subdantur ei Regna, et inclinentur nationes.

Sed hæc hætenus. Quoscumque autem prætaxatarum habuisti conscriptores literarum, quod tibi responsum est noverint sibi esse responsum. De cætero, fratres, vos commonefacio, rogo, et obsecro, ut vos non separent schismata, nec obnubilent similitudines; sed sit vobis in Domino cor unum et anima una. Et audiamus illum qui dicit, *Pro justitiâ agonizare pro animâ tuâ, et usque ad mortem certa pro justitiâ. Et Deus expugnabit pro te inimicos tuos.* Non obliviscamur illum districtum judicem, ante cujus tribunal constitutos sola nos veritas judicabit, amoto timore et fiduciâ omnis terrenæ potestatis. Valeat in Domino fraternitas vestra. *

* To this Letter that of the Bishop of London, N^o III. from the Cottonian Manuscript, was an Answer. It is transcribed from the printed Bruxelles Edition of Becket's Letters; and some faults are corrected in it from other Copies.

N° VII.

BOOK III.

Articles sent over to England from the King, This refers to
Ann. Dom. 1166. Cod. Cotton. p. 26. Cod. vol. iv. p. 138.
Vatic. p. 169.

SCIATIS hunc esse tenorem mandatorum, quæ Henricus Rex misit in Angliam. Scilicet, ut omnes portus cautissimè custodiantur, ne literæ interdictionis deferantur. Et si aliquis regularis illas attulerit, pedibus truncetur; si clericus, oculos amittat et genitalia; si laicus, suspendatur; si leprosus, comburatur. Et si quis episcopus ejus interdictum metuens recedere voluerit, nihil secum deferat præter baculum. Vult etiam ut omnes scholares repatriare cogantur, aut beneficiis suis priventur; et qui remanserint, sine spe remeandi remanebunt. Et Presbyteri qui cantare noluerint, genitalia amittent: omnesque rebelles sibi omnibus beneficiis priventur.

N° VIII.

This refers to
 vol. iv. p. 139.

Ep. cxxviii. Clerus Cantia Provincie Alexandro Papæ.

Patri suo et Domino, summo Pontifici Alexandro, Provincie Cantuariensis Episcopi, et, Personæ per eorundem Diœceses locis pluribus constitutæ, Domino Patrique debitum charitatis et obedientie famulatum.

VESTRAM, Pater, meminisse credimus excellentiam, vos devotum filium vestrum, Dominumque nostrum charissimum, illustrem Anglorum

BOOK III. glorum Regem, per venerabiles fratres nostros, Londoniensem et Herefordensem Episcopos, directis jamdudum litteris convenisse, et de corrigendis quibuldam, quæ Sanctitati vestræ in ipsius regno corrigenda videbantur, paternâ gratiâ commonuisse. Qui, mandatum vestrum debitâ veneratione suscipiens, ut satis notum est, ad vestra quidem monita non iratus intumuit, non elatus obedire contempsit, verum agens gratias paternæ correctioni, Ecclesiæ se statim submitit examini, asserens de singulis, quæ juxta vestri formam mandati sibi diligenter expressa sunt, Ecclesiæ Regni sui se pariturum judicio, et quæ corrigenda decerneret, ipsius se consilio, laudabili quidem et in principe dignè commendabili devotione correcturum. Ab hoc verò non recedit proposito, non mentem revocat à promisso. Sit qui sedeat, qui cognoscat et judicet, divini reverentiâ timoris, non majestatem præ se ferens, sed, ut filius obediens, judicio sistere, legitimæque parere sententiæ, et se legibus alligatum principem præsto est in omnibus exhibere. Unde nec interdicto, nec minis, nec maledictionum aculeis, ad satisfactionem urgeri necesse est divinarum se legum examini sponte subdentem. Ejus enim opera nequaquam luci se subtrahunt, nec occultari tenebris ullâ ratione deprecantur. Rex namque fide Christianissimus, in copulâ castimonie conjugalis honestissimus *, pacis et justitiæ conservator ac dilatator incomparabiliter strenuus, hoc votis agit, totisque in hoc fervet desideriis, ut de Regno ejus tollantur scandala, cum spurcitiis suis eliminentur peccata,

* Mr. Carte has made use of this expression, to prove a new opinion of his own, that, after Rosamond, King Henry the Second had no other mistress; and that the charge of incontinence, brought against him by all the contemporary writers, is not well founded. But I think it only proves, that, when this letter was written, he had no publick or scandalous amour.

pax totum obtineat atque iustitia, et altâ securitate et quiete placidâ sub ipso gaudeant et resforeant universa. Qui, cum pacem Regni sui enormi insolentium quorundam Clericorum excessu non mediocriter aliquando turbari cognosceret, clero debitam exhibens reverentiam, eorundem excessus ad Ecclesiæ Judices retulit Episcopos, ut gladio gladius subveniret, et pacem, quam regebat et fovebat in populo, spiritualis potestas fundaret et solidaret in Clero. *Quâ in re partis utriusque zelus enituit; Episcoporum in hoc stante iudicio, ut homicidium, et si quid huiusmodi est, exauctoratione solâ puniretur in Clerico; Rege verò existimante pœnam banc non condignè respondere flagitio, nec stabiliendæ paci bene prospici, si lector aut Acolytus quenquam perimat, ut solâ jam dicti ordinis amissione tutus existat* *. Clero itaque statuto cœlitus ordini deferente, Domino vero Rege peccatum iusto, ceu sperat, odio persequente, et pacem altius radicare intendente, sancta quædam oborta est contentio, quam excusat, ut credimus, apud Dominum, simplex utriusque partis intentio. Hinc non dominationis ambitu, non opprimendæ Ecclesiasticæ libertatis intuitu, sed solidandæ pacis affectu, eò progressum est, ut Regni sui consuetudines et dignitates, Regibus ante in Regno Angliæ à Personis Ecclesiasticis observatas, et pacificè ac reverenter exhibitas, Dominus noster Rex deduci vellet in medium, et, ne super his contentiosus funis traheretur impofterum, notitiæ publicæ delegari. Adjuratis itaque per fidem, et per eam quæ in Deum spes est, majoribus natu Episcopis, aliisque Regni Majoribus, retroacti temporis insinuato statu, dignitates requisitæ palam prolatae sunt, et summorum in Regno virorum testimoniis propalatae.

* This paragraph states clearly the true subject of the controversy between Henry and Becket, and for what cause the latter died a Martyr,

BOOK III.

Hæc est Domini nostri Regis in Ecclesiam Dei toto orbe declamata crudelitas, hæc ab eo persecutio, hæc operum ejus perversorum rumusculis undique divulgata malignitas! In his tamen omnibus, si quid fuerit periculosum animæ, si quid ignominiosum Ecclesiæ, Regni sui se consilio correcturum, devotione sanctissimâ jamdiu est pollicitus, et constantissimè pollicetur. Et quidem pacis optatum finem nostra, Pater, ut speramus, obtinuisset jam postulatio, si non iras jam sopitas, et ferè prorsus extinctas, patris nostri Domini Cantuariensis de novo suscitasset exacerbatio. Verùm hic, de cujus modestiâ redintegrationem gratiæ huc usque sperabamus, ipsum, quem monitis emollire, quem meritis et mansuetudine superare debuerat, per tristes et terribiles litteras, devotionem Patris aut Pontificis patientiam minimè redolentes, cum in pacis perturbatores exercitum nuper ageret, durè satis et irreverenter aggressus est; in ipsum excommunicationis sententiam, in regnum ejus interdicti pœnam, comminando. Cujus si sic remuneratur humilitas, quid in contumacem statuatur? Si sic æstimatur obediendi prompta devotio, in obstinatam perversitatem quonam modo vindicabitur? Minis quoque gravibus superaddita sunt graviora. Quosdam namque fideles et familiares Domini nostri Regis, primarios Regni proceres, Regiis specialiter assistentes secretis, in quorum manu consilia Regis et negotia Regni diriguntur, non citatos, non defensos, non, ut aiunt, culpæ sibi conscios, non convictos aut confessos, excommunicationis innodavit sententiâ, et excommunicatos publicè denunciavit. Adjecit etiam ut venerabilem fratrem nostrum, Dominum Saresberiensem Episcopum, absentem et indefensum, non confessum aut convictum, sacerdotali priùs et Episcopali suspenderit officio, quam suspensionis ejus causâ comprovincialium aut aliquorum etiam

etiam fuisset arbitrio comprobata. Si hic itaque judiciorum ordo circa Regem, circa Regnum, tam præposterè, ne dicamus inordinate, processerit, quidnam consequi posse putabimus (dies enim mali sunt, et occasionem habentes malignandi quamplurimam), nisi ut tenor pacis et gratiæ, quo Regnum et Sacerdotium usque modò cohærent, abruptatur, et nos cum commisso nobis Clero in dispersionem abeamus exilii, aut à vestrà (quod absit!) fidelitate, recedentes, ad schismatis malum in abyssum iniquitatis et inobedientiæ provolvamur? Compendiosissima quippè via hæc est ad omne religionis dispendium, ad Cleri pariter Populique subversionem ac interitum. Unde ne Apostolatûs vestri tempore tam miserè subvertatur ecclesia; ne Dominus Rex et servièntes ei Populi à vestrà (quod absit!) avertantur obedientiâ; ne totum, quod privatorum consilio machinatur, possit in nos Domini Cantuariensis iracundia, adversus eum et ipsius mandata, Domino nostro Regi aut Regno ejus, nobis aut commissis nobis Ecclesiis gravamen aliquod importancia, ad Sublimitatem vestram voce et scripto appellavimus, et appellationis terminum diem Ascensionis Dominicæ designavimus, eligentes apud vos in omne, quod Sanctitati vestræ placuerit, humiliari, quam ad sublimes animi ipsius motus, nostris non id exigentibus meritis, de die in diem tædiosissimè prægravari. Conservet incolumitatem vestram, Ecclesiæ suæ in longa tempora profuturam, omnipotens Deus, in Christo dilecte Pater.

BOOK III.

N° IX.

This refers to
vol. iv. p. 142,
143, 144.

MS. Cotton. Claudius, B. ii.

Fol. 142. Alexander Papa Henrico Regi Angliæ.

MAGNIFICENTIÆ tuæ nuntios, scil. dilectos filios nostros Johannem Cumminum et magist. Radulfum de Tammworth, nobis et ecclesiæ Dei devotos et regiæ sublimitati per omnia sicut credimus fidelissimos, et litteras quas nobis Excel-
lencia tua transmisit, tanto benigniori mente suscepimus, et tanto eos majori gratiâ prævenimus et honore, quanto plenius novimus ipsos à magnifico principe et Rege Christianissimo fuisse transmissos. Cui utique omnem, quam cum Deo possumus, gloriam cupimus et honorem, et ad cujus incrementum modis omnibus, quibus honestè poterimus nos et fratres nostri, ac tota Ecclesia, quanto devotissimæ sinceritatis tuæ affectum in majori sumus necessitate experti, tanto ardentius intendimus aspirare. Non enim tuæ devotionis insignia, nobis tempore tam opportuno exhibita, a nostrâ in posterum memoriâ ulla ratione poterunt divelli, vel in conspectu Ecclesiæ aliquâ desuetudine inumbrari. Petitiones quoque tuas, quas nobis per nuntios jam dictos misisti, in quibus cum Deo et honestate nostrâ potuimus, sicut idem Magnificentiæ tuæ viva voce plenius narrabunt, curavimus executioni mandare. Personas siquidem de latere nostro juxta quod rogasti, licet nobis gravissimum ac difficilimum, hoc tempore maximè, aliquos à nobis emit-tere videatur, cum fratrum nostrorum, et eorum præsertim quos tu desideras, præsentia et consilio opus habeamus; illius tam recolendæ ac magnificæ devotionis tuæ quam prædiximus non immemores
3
existentes,

existentes, ad Sublimitatis tuæ præsentiam duximus **BOOK III.**
destinandas, cum plenitudine potestatis ecclesiasticas
causas, quæ inter te et venerabilem fratrem nostrum
Thomam Cantuar. Archiepiscopum hinc inde ver-
tuntur, et illam quæ inter eundem Archiepiscopum
et Episcopos Regni tui super appellatione ad nos
factâ movetur, necnon et alias causas terræ tuæ
quas noverint expedire cognoscendi, iudicandi quo-
que; et, prout sibi Dominus administraverit, canonicè
terminandi. Eidem quoque Archiepiscopo, ne te,
aut tuos, seu regnum tuæ gubernationi commissum,
donec causæ illæ debitum sortiantur effectum, in ali-
quo gravare, vel turbare, aut inquietare attemperet,
omnimodis inhibemus. Verum, si idem Archie-
piscopus in te, aut regnum tuum tuæ gubernationi
commissum, vel personas regni, interim aliquatim
sententiam tulerit, nos eam irritam esse et non tenere
censemus. Ad iudicium autem hujus rei, in argu-
mentum nostræ voluntatis, litteras præsentis, si arti-
culus ingruerit necessitatis, ostendas. Alioquin
Serenitatem tuam rogamus et attentius commonemus,
ut litteras ipsas, aut earum tenorem, a nullo sciri
permittas, sed eas habeas omnino secretas. Illòs
vero familiares et consiliarios tuos, quos jam dictus
Archiepiscopus sententiæ excommunicationis sub-
jecit, personæ de latere nostro transmissæ, Dominò
auctore, absolvent. Si autem aliquis illorum interim
metu mortis laboraverit, præstito secundum ecclesiæ
consuetudinem juramento, quod nostro; si contra-
luerit, debeat super hoc parere mandato, ipsum ab
aliquo episcopo vel alio religioso viro et discreto ab-
solvì concedimus. Porro fratribus nostris, quos illud
imitemus, post instantem Dòmini nàtivitatem eundem
præceptum dabimus, qui, auctore Dominò, in mense
Januario, iter, sicut credimus, aggredientur. Data
Lateran. XIII Kalend. Januar.

PART III.

N° X.

This refers to
vol. iv. p. 152.

Ep. XLV. l. ii. Alexandro Papæ Thomæ Cantuariensis Archiepiscopus.

Amantissimo Domino et Patri Sanctissimo Alexandro, Dei Gratiâ Sanctæ Romanæ Ecclesiæ summo Pontifici, Thomæ Cantuariensis Ecclesiæ minister humilis, miser ac miserabilis exul, salutem, et inter omnia pericula firmam et veram obedientiam.

MITTIMUS Sanctitati vestræ latorem præsentium, pro conditione et capacitate, ut cedimus, fidelem. Eum, si placet, pro nobis et de nobis, benignè exaudiat clementia vestra, prout decet et expedit miseræ nostræ, quæ jam amicis nostris desperatione facta est tædiosa, utinam non odibilis; vobis, unde magis dolemus, sicut plures judicant, dissimulatione manifestâ non utinam contemptibilis; inimicis nostris etiam compassione miserabilis. Exurge, Domine, et noli tardare amplius. Illumina faciem tuam super nos, et fac nobiscum secundum misericordiam tuam, et cum miseris nostris præ nimiam pressurâ deficientibus; salva nos, quia perimus. Non confundamur inter homines, non insultent nobis adversarii nostri, immo Christi et Ecclesiæ, non fiat fortuna nostra in derisum genti et populo, quia nomen tuum invocavimus super nos. Non nobis, Domine, non nobis, sed in nomine Domini Jesu-Christi, fac tibi grande nomen, repara gloriam tuam, revela famæ tuæ nomen, quæ in reversione illius excommunicati et perjuri schismatici, Joannem de Oxeneford loquor, falsâ illius prædicatione in partibus Galliæ vehementer est depressa. (Novit Deus quia non mentior, et, si mihi non creditur, quæratur ab his

de

de Gallia, qui honorem vobis magis affectant, qui BOOK III.
 amplius optant ecclesiæ proventum) Famæ, dico, }
 quæ hætenus apud homines viguit inculcata, quæ
 inter omnia pericula servata est illæsa, quæ cæteris
 perditis sola intemerata remansit, quæ ubique loco-
 rum sana habebatur et celebris. Resumat itaque
 vires præceptoris autoritas, reformet nobile factum,
 prius commendabile, sed malè postea denigratum,
 ut sentiat garrulus ipse se falsa sparsisse, prædicasse
 mendacia. Experiatur severitatem qui remissionem
 demeruerat, perferat ultionem qui abusus est benig-
 nitate, ut agnoscat mundus eum reperisse Christi
 vicarium fundatum in firmâ petrâ, non facile mo-
 bilem, non baculum arundineum, sicut magni sub-
 murmurant, sed æquitatis et justitiæ observatorem,
 non acceptorem personarum, nemini parcentum in
 judicio, de juris æquitate fideliter et æquè dispen-
 santem Regi pariter ac privato. Valeat Sanctitas
 vestra, ut valeamus et nos, et miseri nostri.

Nº XI.

This refers to
 vol. iv. p. 172.

Rymeri Fædera, etc. Tom. I. p. 23, et seq.

*Conventio facta apud Doverham inter Henricum
 Regem Angliæ et Henricum Filium ejus ex una
 parte, et Theodoricum Comitem Flandriæ et Filium
 ejus ex alterâ.*

A. D. 1167. **H**ÆC conventio facta est et scripta
 apud Doverham 14 Kal. April. in-
 ter Henricum Regem Angliæ, et Ducem Nor-
 mannæ et Aquitanæ et Comitem Andegaviæ, et
 Henricum Filium et Hæredem suum; et Theodo-
 ricum Comitem Flandriæ, et Comitem Philippum
 filium et hæredem suum.

Vol. IV.

I i

2. Theodo-

BOOK III.

2. Theodoricus Comes Flandrensis, et Comes Philippus Filius et Hæres suus, fide et sacramento affecuraverunt Regi Henrico, et Henrico Filio et Hæredi suo, vitam suam et membra quæ corporibus suis pertinent, et captionem corporum suorum, ne Rex vel Henricus Filius suus eam habeant ad dampnum suum.

3. Et quod juvabunt eos ad tenendum et ad defendendum Regnum Angliæ contra omnes homines qui vivere et mori possunt, salva fidelitate Lodovici Regis Francorum; ita quod, si Rex Lod. Regnum Angliæ super Regem Henricum, vel super Henricum Filium suum, invadere voluerit, Comes Theodor. et Comes Philippus, si potuerint, Regem Lod. remanere facient, et quærent quocunque modo poterunt, consilio et precibus, per bonam fidem, absque malo ingenio, sine datione pecuniæ, ut remaneat.

4. Et si Rex Lod. in Angliam venerit, et Comitem Theod. vel Comitem Philippum secum adduxerit, Comes Theod. vel Comes Phil. (uter eorum cum eo venerit) tam parvam fortitudinem hominum secum adducet, quam minorem poterit, ita tamen, ne inde feodum suum erga Regem Franciæ forisfaciat.

5. Et, ante necessitatem, infra 40 dies postquam Comes Theod. vel Comes Phil. ex parte Regis Henrici, vel ex parte Henrici Filii sui, legato, vel literis suis, summonitus fuerit, idem Comes mille equites habebit ad portus suos, paratos transfretare in Angliam, in auxilium Regis Henrici, vel Henrici Filii sui, quam citius potuerint.

6. Et Rex Henricus vel Henricus Filius suus inveniet eis naves, et mittet eas vel ad Gravelingas, vel ad Witland.

7. Et tot naves mittet, quot sufficiant tot militibus, ita ut unusquisque habeat secum tres equos:

Ita

Ita tamen, quod si Rex Henr. vel Henricus Filius BOOK III.
 suus, has naves simul una vice non miserit, milites
 remanentes de mille expectabunt ad portum, ab illa
 die, qua naves cum militibus de portu exhibunt, usque
 ad totum unum mensem, nisi infra ipsum mensem
 transferint.

8. Et naves istas salvas faciet Comes Theod. vel
 Comes Phil. de omnibus suis, et de omnibus aliis
 hominibus, a quibus eas salvare potuerit, eundo,
 morando, et redeundo.

9. Et postquam dicti milites in Anglia erunt,
 fiducias facient Regi Henrico, vel Henrico Filio
 suo, aut legatis suis (si requisiti fuerint), de hoc,
 quod, quamdiu in itinere illo in Anglia erunt, ad
 proficuum Regis Henrici et Henrici Filii sui erunt,
 et non quærent quomodo Rex vel Henricus Filius
 suus perdat terram, vel hominem, sed iuvabunt eos,
 per bonam fidem, ad tenendum et defendendum
 Regnum Angliæ contra omnes homines.

10. Et, si aliqua alia gens super Regem, vel super
 Henricum Filium suum, in Angliam venerit, si
 Comes Theod. vel Comes Phil. ex parte Regis vel
 Henrici Filii sui, ut prædiximus, summonitus fuerit,
 infra prædictum terminum, et ante necessitatem,
 Comes Theod. vel Comes Phil. cum mille militi-
 bus in Angliam venient; si non remanserint propter
 monstrabilem sui corporis infirmitatem, vel terræ suæ
 amissionem, vel Lodov. Regis Francorum expeditionis
 summonitionem, vel propter Imperatoris Romani ex-
 peditionis summonitionem per totam terram suam,
 si ipse Comes Theod. vel Comes Phil. tunc tem-
 poris ibi sint: et ita, quod nulla prædictarum sum-
 monitionum inventa sit per dolum, vel per malum
 ingenium, vel ad ejus adventum et mille militum
 suorum disturbandum.

11. Et, si aliquis Comes Angliæ, vel alii ho-
 mines illius terræ, Regi, vel Henrico Filio suo
boisiverint,

BOOK III. **boffiaverint, ita quod Rex, vel Henricus Filius suus, comitatum vel valens comitatum amiserit, Comes Theod. vel Comes Phil. cum mille militibus in Angliam, in auxilium Regis, vel Henrici Filii sui, veniet; nisi pro aliqua prædictarum quatuor exoniarum remanserit.**

12. **Et, si uterque Comes propter hoc remanserit, ita quod neuter eorum venire possit, mittet mille milites in Angliam, in auxilium Regis, vel Henrici Filii sui, ut supra diximus.**

13. **Et si per summonitionem Regis, vel Henrici Filii sui, plures quam mille milites adduxerit, vel miserit, de tot erit quietus in proximo sequenti servitio, quot supra mille adduxerit vel miserit.**

14. **Et si ex mille militibus defuerint 20 vel 40 et usque ad centum, propter hoc Comes Theod. vel Comes Phil. non amittet conventionem suam erga Regem vel Henricum Filium suum; si, postquam ex parte Regis, vel Henrici Filii sui, Comes Theod. vel Comes Phil. summonitus fuerit, infra 15 dies perficiet numerum.**

15. **Et homines, qui ad Regem, vel Henricum Filium suum, venerint, vel qui ab illis venient, salve et quiete ibunt et venient per totam terram et per omnes portus Comitum Theod. et Comitum Phil. (et nominatim per totam terram et portus de Bolonesio) quicunque ipsi sint, vel undecumque veniant; nec naves defendentur eis in aliquo portuum, ubi eas convenienter conducere voluerint.**

16. **Et nec Comes Theod. nec Comes Phil. denegabit licentiam hominibus de terra sua, qui ad servitium Regis Angliæ, vel Henrici Filii sui, venire voluerint; et, si venerint, propter hoc non amittent terram, nec feodum, nec conventionem aliquam, quam habeant de Comite Theod. vel de Comite Phil.**

17. Et si Comes Theod. vel Comes Phil. vel BOOK III.
homines sui, in auxilium Regis, vel Henrici Filii
sui, venerint, quamdiu in Anglia fuerint erunt ad
victum Regis, vel Henrici Filii sui; et Rex, vel
Henricus Filius suus, reddet eis perdita sua, facta
in Anglia, sicut mos est reddere familiæ Regis
Angliæ.

18. Et quamdiu illa necessitas duraverit, erunt
cum Rege, vel Henrico Filio suo, et ei fideliter
servient; et, finita necessitate, permittet eos Rex,
vel Henricus Filius suus, redire, et inveniet eis
naves, et Comiti Theod. vel Comiti Phil. eas salvas
cum hominibus suis et pecuniis suis remittet.

19. Et inimici Regis, vel Henrici Filii sui, qui
sibi werram, vel per terram, vel per mare, facient,
fiduciam in neutro Comitum habebunt; nec re-
ceptaculum in terra sua, nec in terra Bolonensi, nec
alibi, quæ Comes Theod. vel Comes Phil. eis
defendere, vel auferre, possit, absque omni dolo et
malo ingenio.

20. Et si aliquis hominum Comitis Theod. vel
Comitis Phil. Regi, vel Henrico Filio suo, vel
hominibus suis forisfecerit, et rectitudinem, pro
neutro Comitum, Regi, vel Henrico filio suo, vel
hominibus suis, facere voluerit; nec in Comite
Theod. nec in Comite Phil. nec in hominibus
eorum fiduciam habebit, nisi consensu et voluntate
Regis, vel Henrici Filii sui.

21. Et si Rex, vel Henricus Filius suus, Comitem
Theod. vel Comitem Phil. in Normannia vel Cano-
mannia secum habere voluerit in auxilio, et eum inde
summonuerit, ipse Comes cum mille militibus ibit
illuc, et Regem, vel Henricum Filium suum, per
bonam fidem juvabit, sicut Amicum et Dominum, de
quo feodum tenet; nec dimittet quin eat, donec
Rex Franciæ judicari faciat Comiti Theod. vel Co-
miti Phil. quod non debeat juvare Dominum et Ami-

BOOK III. cum suum Regem Angliæ, vel Henricum Filium suum, cujus feodum tenet; et hoc per pares suos, qui Comitem Flandriæ de jure debent judicare.

22. Et istas summonitiones nec Comes Theod. nec Comes Phil. ullatenus diffugient, nec illi, qui hanc summonitionem facient, dampnum vel malum habebunt per Comitem Theod. vel Comitem Phil. nec per aliquem hominem de quo eos Comites prædicti defendere possint.

23. Quod si Rex, vel Henricus Filius suus, Comitem Theod. vel Comitem Phil. in Normannia secum in auxilio habere voluerit, et cum literis, vel legatis suis, summonuerit, Comes summonitus, ad Regem, vel ad Henricum Filium suum, cum mille militibus veniet: qui postquam in Normannia fuerint, octo diebus erunt ad victum Comitis Theod. vel Comitis Phil. Et si Rex, vel Henricus Filius suus, eos diutius in servitio suo retinere voluerit, morabuntur cum ipso in servitio suo: Et, quamdiu eos retinere voluerit, liberationes suas eis dabit, et perdita eorum, in servitio suo facta, eis restaurabit; sicut mos est facere familiæ suæ.

24. Et si illo tempore Rex Lod. super Regem, vel Henricum Filium suum, in Normanniam intraverit, Comes Theod. vel Comes Phil. ad Lod. Regem Franciæ ibit cum 20 militibus tantum, et omnes alii prædicti milites remanebunt cum Rege, vel cum Henrico Filio suo, in servitio et fidelitate sua.

25. Ipse vero Comes Theod. vel Comes Phil. veniet ad Regem, vel Henricum Filium suum, in Normanniam, sicut prædictum est; nisi remanserit propter apparentem sui corporis infirmitatem, vel terræ suæ amissionem, vel suam expeditionem, vel Regis Francorum, vel Imperatoris Romani expeditionem, sicut supra scriptum est.

26. Ea,

26. Et, si propter hoc Comes summonitus re-BOOK III.
manferit, mille milites, ut prædiximus, in Nor-
manniam, ad servitium Regis, vel Henrici Filii sui,
mittet.

27. Et si Rex, vel Henricus Filius suus, in
Cænomania cum secum habere voluerit, ipse ibit
cum quingentis militibus semel in anno, et erit
in familia Regis, vel Henrici Filii sui, per unum
integrum mensem, in Cænomania, si Rex vel
Henricus Filius suus eos tamdiu retinere voluerit
ad liberationem Regis, vel Henrici Filii sui, et ad
perdita reddenda, sicut mos est familiæ Regis.
Et hoc idem faciet eis Rex, vel Henricus Filius
suus, ex quo intrabunt in Normanniam, ad eundem
in Cænomaniam.

28. Quod si Comes Theod. vel Comes Phil.
per summonitionem Regis, vel Henrici Filii sui,
plures quam mille milites in Normanniam, vel
plures quam quingentos in Cænomaniam duxerit,
vel miserit, quot supra mille in Normanniam, vel
supra quingentos in Cænomaniam duxerit, vel
miserit, de tot erit quietus in proximo sequenti
servitio horum duorum servitiorum Normanniæ vel
Cænomanniæ.

29. Quodcumque Comes Theod. vel Comes
Phil. Regi, vel Henrico Filio suo, semel in anno
fecerit, per hoc quietus erit de altero servitio in
illo eodem anno, nisi gratia amicitiae fecerit.

30. Et, si Comes Theod. vel Comes Phil. in
expeditione fuerit, quando hanc summonitionem
habuerit, post reditum de expeditione habebit re-
spectum usque ad finitas tres hebdomadas; et
eundem respectum habebit, si summonitus fuerit
inter proximos octo dies post reditum de expedi-
tione; et, si infirmus fuerit, habebit respectum mix-
tendi milites usque ad finitos 15 dies.

BOOK III. 31. Et, pro ista conventionē et securitate, et pro servitio supradicto, dedit Rex Henricus et Henricus Filius ejus post eum, Comiti Theod. et Comiti Phil. Filio ejus post eum, quingentas marcas, unoquoque anno, in feodo; scilicet, Comiti 400 marcas, et Comitissæ Flandriæ 100 marcas. Et, si Comitissa decesserit, tota pecunia Comiti persolvetur,

32. Et, pro hæc feodo, per istas conventiones prædictas, et quia Comes Theod. hominū fecerat Regi Henrico avo istius Regis Henrici, Comes Phil. fecit hominū isti Regi Henrico.

33. Et, de omnibus istis conventionibus attendendis, dederunt Comes Theod. et Comes Phil. Henrico Regi, et Henrico Filio suo, istos obsides: Cononem Castellā de Brugis, pro 100 marcis; Eustachium de Grumins Camerarium, pro 100 marcis; Ernold. Comit. de Githnis, pro 100 marcis; Widonem Castell. de Bergis, pro 100 marcis; Walter de Tenremunt, pro 100 marcis; Roger. Castellā de Curtrai, pro 100 marcis; Rathonem de Gavera Pincernam, pro 100 marcis; Roger. de Waverino Dapiferum, pro 100 marcis; Balden de Ballolio, pro 100 marcis; Robert. Advocatū Bottoniensem, pro 100 marcis; Terril de Aloft, pro 100 marcis; Mich. Constab. pro 100 marcis.

34. Et, de istis 12 obsidibus, debent sex eorum conducere prius dictos milites in servitio Regis, vel Henrici Filii sui, si Comes Theod. et Comes Phil. defuerint, propter aliquam prædictarum exoniarum. Et, si sex de obsidibus non fuerint ad conducendum, duo, ad minus, de eis illos conducent, et quatuor de baronibus Comitis (loco illorum quatuor qui defuerint), æque valentes ad servitium Regis, vel Henrici Filii sui.

35. Et isti prædicti 12 obsides tali conditione sunt obsides; si Comes Theod. et Comes Phil. de prædictis

prædictis conventionibus exierint, vel alter eorum, BOOK III.
 et ipsi eum, infra tres quarentenas, reconciliare
 Regi, vel Henrico Filio suo, non potuerint, quod
 unusquisque de prædictis obsidibus dabit Regi, vel
 Henrico Filio suo, 100 marcas argenti, et facient
 infra tres quarentenas, vel in captione Regis, vel
 Henrici Filii sui, se ponent, pro prædictis marcis:
 Et Rex, vel Henricus Filius suus, ab eis non plus
 exiget quam quod prædictum est; et ponent se in
 captione in Turri London, vel in alio loco, ubi Rex,
 vel Henricus Filius suus, eos libere possit retinere
 ad proficuum suum.

36. Et, si aliquis de istis obsidibus mortuus
 fuerit, vel a fidelitate Comitum Flandriæ, aut a terra
 sua, recesserit, Comes alium æquivalentem, in loco
 ejus, ad summationem Regis, vel Henrici Filii
 sui, restaurabit.

37. Et, si, dum obsides jam dictam pecuniam
 Regi miserint, vel Henrico Filio suo, eis in Anglia
 ablata sit ab hominibus, quos Rex vel Henricus
 Filius suus constringere possint, quieti erunt.

38. Et, si in mari eam perdiderint, habebunt
 respectum per 40 dies, ad restaurandam pecuniam.

39. Et, si Regi vel Henrico Filio suo placuerit,
 Comitissa Flandrensis asscurabit Regi vel Henrico
 Filio suo, fide sua, pro feodo suo prædicto, quod
 ad omne posse suum, consilio suo, et precibus suis,
 faciet Comitem omnes prædictas conventiones tenere
 integre, et servitia fideliter facere, per bonam fidem,
 absque omni dolo et malo ingenio.

40. Rex vero asscuravit Comiti Theod. et Co-
 miti Phil. vitam suam, et membra quæ corporibus
 suis pertinent; et captionem corporum suorum, ne
 Comites eam habeant ad dampnum suum, quam-
 diu Comes Theod. vel Comes Phil. prædictas con-
 ventiones Regi vel Henrico Filio suo tenuerit.

41. Et,

BOOK III.

41. Et, propter prædictas conventiones et prædictum servitium, dabit Rex vel Henricus Filius suus Comiti Theod. vel Comiti Phil. prædictas quingentas marcas in natali Domini.

42. Et, si prædicta pecunia in prædicto termino tota persoluta non fuerit infra 40 dies, postquam ipse Rex summonitionem Comitis, per legatum suum in Anglia vel in Normannia, susceperit, illam persolveret.

43. Si vero in aliqua alia terrarum suarum summonitionem inde a legatis Comitis susceperit, infra 40 dies, postquam in Angliam vel Normanniam redierit, pecunia persolveretur, sine malo ingenio.

44. Hujus conventionis ex parte Regis et Henrici Filii sui obsides sunt, Rich. de Humez Constabular. pro 100 marcis; Reginald de Sancto Valerico, pro 100 marcis; Rich. de Luscy, pro 100 marcis; Henricus filius Gerald. Camerarius, pro 100 marcis; Barnardus de Sancto Walerico, pro 100 marcis; Manasser. Biset Dapifer, pro 100 marcis; Roger de Cailli, pro 100 marcis; Hugo Comes de Norf. pro 100 marcis; Willielmus Comes de Arundel, pro 100 marcis; Robertus filius Comitis de Legra, pro 100 marcis; Galf, pro 100 marcis; Hug. Comes Cestrie, pro 100 marcis.

45. Et isti tali conditione sunt obsides erga Comitem, quali conditione Comitum obsides erga Regem et Henricum Filium suum.

46. Et omnes obsides communiter affecuraverunt quod non diffugient summonitionem, et quod summonitores securi erunt ab eis, et ab omnibus quos prohibere poterunt a nocumento ipsorum.

N° XII.

BOOK III,

Ep. xxxiii. l. ii. Alexandro Papæ Episcopi et Clerus Angliæ.

This refers to
vol. iv. p. 191.

*Patri suo et Domino, summo Pontifici Alexandro,
Anglicana Ecclesia devotum et debitum charitatis
et obedientiæ famulatum.*

SUBLIMITATI vestræ, Pater Reverende, venerande, gratias affectuosè referimus, quod ad petitionem filii vestri devotissimi, Dominique nostri dilectissimi, illustris Anglorum Regis, filios vestros charissimos, summèque vobis in eâ, quæ ad præsens est, tempestate necessarios, ad ipsum curastis in longinqua transmittere, affectuque paterno, eorundem laboribus, nostris parcere, et gravaminibus nostra piè gravamina sublevare. Habentes itaque mittenti gratias, missos honore debito, totaque cordium alacritate, suscepimus, sperantes eorum adventu finem malis diu jam protractis imponi; et quæ turbata sunt apud nos in pacis pristinae serenitatem, coöperante sibi gratiâ, reformari. Inde est quod eis, tanquàm judicibus ad hoc à Sanctitate vestrâ directis, nostram unâ cum Domino nostro Rege præsentiam reverenter exhibuimus, optantes pariter et expectantes omnia, quæ inter Dominum nostrum Regem et Dominum Cantuariensem, quæque inter ipsum vertuntur et nos, in eorum præsentia palam fieri, et, juxta vestri formam mandati, diffinitivâ eorum sententiâ plenissimè terminari. Ipsi in modum hunc reverentiam judiciariæ potestati debitam exhibentes adstitimus, et ecce! sinistro confusi nuncio, à priùs conceptâ spe gaudii in desperationis foveam lapsi, audita satis nequimus admirari. Audito enim, et ipsâ legatorum vestrorum

BOOK III, vestrorum confessione recognito, eos ad iudicandum causam hanc, ob quam venerant, potestatem omninò non habere, et quod à Sanctitate vestrà Domino nostro Regi concessum, scriptoque firmatum fuerat, id non tenere, Dominus noster Rex, ultra quàm dici possit, irà totus incanduit, in tantum quidem, ut ad solitam erga vos animi mansuetudinem vix eum nostra etiam in commune supplicatio revocare potuerit. Totum itaque, quod in adventu legatorum vestrorum conceperamus, gaudii cœpit illicò tristitiæ nubilo superduci. Ad iram hanc fortius inflammandam incentiva præbebant ipsa nobilium colloquia, id Domino Regi sæpius inculcantia, sibi Regnoque suo nulla jam adversus Dominum Cantuariensem superesse subsidia, cùm appellatio Regni dudum ad vos facta jam expiraverit, et ei legatorum vestrorum in nullo cura subvenerit. Hinc apud Regni principes tanta exorta turbatio, ut, nisi juxta datam vobis sapientiam pericula jam erumpentia providendo præcluseritis, Christi vestem scindi miserrimè de proximo dolearis. Totis enim studiis Dominus Cantuariensis desudat, ut Dominum nostrum Regem anathemate, Regnumque ejus interdicti poenâ constringat. Potestatem, quam in ædificationem, et non destructionem ecclesiæ, suscepisse oportuerat, sic exercet in subditos, ut omnes in Regis odium, et totius Regni nobilium tentet inducere, et eorum substantiis direptionem, cervicibus gladium, aut corporibus exilium, intentè studeat procurare. Crebris literis graves eis mandatorum imponit sarcinas, quas præiens ipse non digito movere voluit, nedum humeris sustinere. Ad mortem nos invitat, et sanguinis effusionem, cùm ipse mortem, quam nemo sibi dignabatur aut minabatur inferre, summo studio declinaverit, et suum sanguinem illibatum conservando ejus adhuc nec guttam effundi voluerit. Pro Christo quippè mori gloriosum

gloriosum est; in mortem verò imprudenter ir-
rumpere, Christo scimus non placere. Libertatem
prædicat ecclesiæ, quam se Cantuariensi ecclesiæ
viribus intrudendo sibi constat adémisse. Regni
consuetudines frequenter improperat, quas longè
aliter, quàm se res habeat, suis scriptis vestræ Cel-
situdini manifestat. De cætero, sanctorum cano-
nicarum authoritatem erga nos non observat, cum ap-
pellantes ad vos post appellationem excommunicet,
alios sine citatione aut commonitione suspendat;
notoria, quæ nec nota nec veritate subnixa sunt, as-
serat; et in hunc modum plurima, quâ potest po-
testate, confundat. Ad hæc, *quadraginta marcarum
millia, vel amplius, ut sui asserunt, bonæ suæ fidæ
commissa, Domino nostro Regi solvere, vel quod justum
est exhibere detrectat; et Regi suo negat et Domino,
quod nec ethnico denegare debuerat aut publicano.*
Unde, ne ligent nos jam dicta gravamina, ne taci-
turnitate nostrâ, et indiscretâ quâdam conniventia
permittamus id fieri, unde Dominum nostrum Re-
gem, et Regnum ejus ipsum et sequentes populos,
à vestrâ contingat obedientia prorsus averti, adversus
suspectas nobis D. Cantuariensis sententias, adversus
mandata ejus omnia, Domino nostro Regi et Regno
ejus, personis nostris et commissis nobis Ecclesiis et
Parochiis, gravamen aliquod importantia, vestro
nos per omnia committentes consilio et protectioni
subdentes, ad audientiam vestram appellavimus, et
appellationi terminum diem transitus Beati Martini
constituimus.

BOOK III.

N° XIII.

This refers to
vol. iv. p. 192.

Ep. xlix. l. i. Alexander Papa Thomæ Cantuariensi Archiepiscopo.

QUOD minor majorem judicare non possit, et eum præsertim, cui jure noscitur prælationis subesse, et obedientiæ vinculo tenetur adstrictus, tam Divinæ quàm humanæ leges demonstrant: et præcipuè sanctorum Patrum statutis id manifestius declaratur. Hæc siquidem nos, quorum interest errata corrigere, et ea, quæ incorrecta perniciosum posteris exemplum relinquerent, sollicitâ consideratione pensantes, attendentes etiam, quòd ex delicto personæ non debet ecclesia jacturam aliquam vel incommodum sustinere, sententiam ab Episcopis et Baronibus Angliæ, quoniam ad primam Regis citationem tui copiam non fecisti, adversum te præsumptuosè prolatam, in quâ tibi jam dicti Episcopi et Barones omnia mobilia tua, tam contra juris formam, quam contra Ecclesiasticam consuetudinem, abjudicârunt; (præsertim cum nulla mobilia præterquàm de bonis Ecclesiæ tuæ habueris;) irritam penitus esse censemus, et eam apostolicâ auctoritate cassamus, statuentes ut nullas imposterum vires obtineat, aut tibi vel successoribus tuis, sive Ecclesiæ tuæ gubernationi commissæ, aliquod imposterum valeat præjudicium vel læsionem afferre.

N° XIV.

BOOK III.

MS. Cotton. Fol. Claudius, B. 2. fol. 268.

This refers to
vol. iv. p. 197.*Henrico Regi Angliæ Johannes Neapolitanus.*

PLACET nobis plurimum, per omnia gratum duximus et acceptum, quod ad executionem voluntatis vestræ nostra studia promptius advocastis. Nos quidem, licet absque summonitione etiam vestrâ, quotiescunque opportunitas se offert, studiosi semper sumus, et solliciti elaboremus, quæcunque vobis utilia, sive ad honorem vestrum cognoscimus proventura, sicut nobis possibile, perficere et promovere, et contraria propensius depellere et longius propulsare, cum etiam Magnitudinis vestræ litteris sollicitamur, tanto fortius accingimur, et ad complementum petitionis vestræ accuratius præparamur; quanquam et ipsa summonitio vestra et sollicitatio plurimum placet, et voti atque desiderii nostri est, ut, quicquid possumus, totum ad vestræ voluntatis arbitrium omni modo exponamus.

Venientes igitur ad Ecclesiam Romanam honorabiles nuncios vestros, Abbatem (videlicet) St. Augustini, Archidiaconum Sarisberiensem, Magistrum Simonem de Carcere, et Magistrum Henricum, cum literis vestris, quas Excellentia vestra per ipsos nobis transmisit, honorificè et lætè recepimus. Attentè atque sollicitè vestra beneplacita et significata intelleximus, dedimusque cum eis operam studiosam, et exactam diligentiam adhibuimus, quod Dominus noster primam petitionem vestram, vel saltem secundam executioni mandaret. Ut vera omnis conatus noster omneque studium et argumentosa sollicitudo casso labore defecit, nihilque obtinere potuit de hiis quæ juxta petitionis vestræ

tenorem

BOOK III. tenorem postulavit, visum nobis et complacuit
 quod ad aliud remedium nostra studia converteremus.

Rogavimus igitur, et, licet cum multâ instantiâ, impetravimus tum tales literas à Domino Papâ, per quas temeraria præsumptio et indiscreta audacia Cantuariensis Archiepiscopi repressa et conculcata creditur, et vobis aliquatenus cognoscitur pro qualitate temporis satisfactum. Præfati vero nuncii vestri, qui, sicut industrii et probi viri vobisque fidelissimi, curare executionem mandati studiosissimi extiterunt, cum pro certo novissent, quod nullo modo aliquam de petitionibus vestris obtinere valerent, ad consilium et exhortationem nostram, et quasi compulsionem, receperunt, literas illas, quas Dominus Papa per eos vobis mittit. Quamquam enim plurimum pertimerent et formidarent illas recipere, quia hoc de mandato vestro non habebant, inducti tamen et compulsi a nobis, sicut diximus, quod liquido cognovimus nullatenus expedire quod his temporibus literas tales dimitterent, assensum præbuerunt admonitioni nostræ. Nos itaque, quia honorem vestrum purâ corde et animo diligimus, et voluntati vestræ in omnibus pro posse nostro obtemperare desideramus, laudamus vobis atque consulimus, quatenus recipientes recipiatis, et gratum ducatis quod Dominus Papa ad præsens vobis concedit, scientes et nullatenus dubitantes, quod, si creditis suggestioni nostræ quam per præfatos nuncios vestros vobis aperimus, Cantuariensis ille videns se omni destitutum auxilio, et cognoscens certissimè quod ad regimen Cantuariensis Ecclesiæ non valeat ulterius aliquâ ratione redire, et ipse spontaneus abrenunciabit, et in aliâ ecclesiâ, ubi vivere possit, sibi provideri suppliciter exorabit.

N° XV.

BOOK III.

This refers to
vol. iv. p. 266.*Injunctions sent over from King Henry II.**Ann. Dom. 1169. Cod. Cotton. MSS.**Claudius, B. ii. p. 27.*

1. **S**I quis inventus fuerit literas ferens Domini Papæ, vel aliquod mandatum Archiepiscopi Cantuariensis, continens interdictum Christianitatis in Angliâ, capiatur, et *de eo sine dilatione justitia fiat sicut de traditore Regis et Regni.*

2. Nullus Clericus, vel Monachus, vel Conversus, vel alicujus Conversionis, permittatur transfretare vel redire in Angliam, nisi de transitu suo habeat literas Justitiæ, et de reditu suo literas Domini Regis. Si quis aliter inventus fuerit agens, capiatur et incarceretur.

3. Ne aliquis appellet ad Papam vel Archiepiscopum.

4. Ne aliquod placitum teneatur de Mandatis Papæ, vel Archiepiscopi, vel *aliquod Mandatum illorum in Angliâ ab ullo homine accipiat.* Si quis inventus fuerit aliter agens, capiatur et incarceretur.

5. Generaliter quoque interdictum est, quod nulus ferat aliquod Mandatum clerici vel laici Domino Papæ, vel Archiepiscopo. Si quis inventus fuerit, capiatur et incarceretur.

6. Si Episcopi, vel Clerici, vel Abbates, vel Laici, sententiam interdicti tenere voluerint, sine dilatione de terrâ ejiciantur, *et tota eorum cognatio,* ita quod de catallis suis nihil secum ferant.

7. Ut catalla omnium Papæ vel Archiepiscopo ventium, et omnes possessiones eorum, *et omnium eis pertinentium, cujuscumque gradus, vel ordinis, vel*
VOL. IV. K k sexus,

BOOK III. *sexus, vel conditionis sint*, capiantur, et in Dominicâ manu D. Regis confiscentur.

8. Ut omnes Clerici, qui redditus habent in Angliâ, sint summoniti per omnes Comitatus, ut infra tres menses veniant in Angliam ad redditus suos, sicut diligunt redditus suos; et, si non venerint ad terminum statutum, redditus in manu Regis capiantur.

9. Ut denarii Beati Petri non reddantur ulterius Apostolico, sed diligenter colligantur, et serventur in Thesauro Regis, et expendantur ad ejus præceptum.

There is a tenth article concerning the Bishops of London and Norwich, which I have not translated in my History; because, from letters written at that time, I have reason to believe it was added afterwards. It runs in these words, "Lundoniensis et Norvicensis Episcopi sint in misericordiâ Regis, et summoneantur per Vice-comites et Bedellos, ut sint contrâ Regis Justitias ad rectum faciendum Regi et Justitiis ejus de eo, quod contrâ statuta de Clarendune interdixerunt ex Mandato Papæ terram Comitum Hugonis, et excommunicationem, quam D. Papa in ipsum fecerat, per suas Parochias divulgaverunt sine licentiâ Justitiarum Regis."

This refers to
vol. iv. p. 291.

N° XVI.

MS. Cotton. Claudius, B. ii. fol. 288.

Alexander Papa Rogero Eboracensi Archiepiscopo.

QUANTA per charissimum filium nostrum, Henricum illustrem Anglorum regem, ampliora incrementa et commoda in hujus necessitatis articulo

articulo Ecclesiæ Dei pervenisse noscuntur, et quanto BOOK III.
 nos eum pro suæ devotionis constantiâ majori af-
 fectione diligimus et cariorum in nostris visceribus
 retinemus, tanto ad ea quæ ad honorem, incremen-
 tum, et exaltationem ipsius et suorum cognoscimus
 pertinere promptius aspiramus. Inde est utique,
 quod ad ejus petitionem, dilectum filium Henri-
 cum, primogenitum filium suum, communicato
 fratrum nostrorum consilio, *ex auctoritate Beati*
Petri ac nostrâ concedimus in Anglia coronandum.
 Quoniam igitur hoc ad officium tuum pertinet,
 fraternitati tuæ per Apostolica scripta mandamus,
 quatenus, cum ab eodem filio nostro Rege propter
 hoc fueris requisitus, coronam memorato filio suo
ex auctoritate sedis Apostolicæ imponas, et nos quod a
 te exinde factum fuerit ratum ac firmum decerni-
 mus permanere. Tu vero debitam ei subjectionem
 et reverentiam, *salvo in omnibus Patris sui mandato,*
 exhibeas, et alios similiter commoneas exhibere.

Nº XVII.

Chron. Gervase, Fol. 1410, l. 50.

This refers to
vol. iv. p. 294.

IN PRIMIS inquiratur de vicecomitibus et bal-
 livis eorum, quid vel quantum acceperint de
 singulis hundredis, et singulis villatis, et singulis
 hominibus, postquam Rex novissimè transfretavit
 in Normanniam, unde terra vel homines gravati
 sunt; et quid acceperint per judicium comitatus
 vel hundredi, et quid sine judicio. Et quod inqui-
 sierint captum esse per judicium scribatur separatim,
 et quod sine judicio, similiter separatim scribatur,
 et de omnibus prîs inquirant causam et testi-
 monium.

K k 2

Similiter

BOOK III. Similiter inquiretur quot et quas terras vicecomites vel ballivi eorum emerint vel invadiaverint.

Similiter inquiretur de Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Vavasoribus, Civibus, Burgenſibus, et eorum ſeneſchallis, præpoſitis, et miniſtris, quid vel quantum acceperint per terras ſuas, poſt terminum ſupra dictum, de ſingulis hundredis ſuis vel villatis, et de ſingulis hominibus ſuis, per iudicium vel ſine iudicio. Et omnes priſas et cauſas et occaſiones eorum ſcribant ſeparatim.

Similiter inquiretur de omnibus illis qui poſt terminum illum habuerunt aliquot bailias de rege in cuſtodia, ſive de Archiepiſcopatu, ſive de Episcopatu, ſive de Abbatia, vel de Baroniâ, ſive de Honore aliquo vel aliqua eſchaeta, quid et quantum in bailia illa adquiſierint.

Similiter inquiretur de bailivis regis, qui per terram ſuam erraverunt pro negotiis regis faciendis, quid eis datum ſit.

Et de catallis fugitivorum pro aſſiſa de Clarendune, et de catallis eorum qui per aſſiſam illam perierunt, inquiretur quid actum ſit, et quid inde exierit de ſingulis hundredis, et ſingulis villatis, et ſingulis hominibus. Et inquiretur an aliquis in aſſiſa illa injuſte reſtatus fuerit, pro præmio, vel promiſſione, vel odio, vel aliquo modo injuſto; et an aliquis de reſtatis relaxatus fuerit, vel reverſus, pro præmio, vel promiſſione, vel amore; et quis inde præmium acceperit. Et inquiretur de auxilio ad maritandam filiam regis, quid inde exierit de ſingulis hundredis, et de ſingulis villatis, et de ſingulis hominibus, ſive in redditis, ſive in pardonis, et cui illud traditum et liberatum fuerit. Et inquiretur quid et quantum acceperint foreſtarii et bailivi, et miniſtri eorum, poſt terminum ſupra dictum, in bailiis ſuis, quocumque modo illud acceperint,

ceperint, vel quacumque occasione : Et si quid par-
donaverint de rectis Domini Regis pro præmio, vel
promissione, vel amicitia alicujus : Et de forisfactis
forestarum, et de hiis qui in forestis suis forisfe-
cerunt de cervis et bissis, et aliis bestiis salvagiis :
Et si forestarii vel bailivi eorum aliquem acceperint
vel attacaverint [leg. attachiaverint] per vadium et
per plegium, vel rectaverint, et postea sine justitia
per se relaxaverint. Et qui hæc fecerint, inqui-
rantur et inbrevientur. Et omnes qui rectati fue-
runt de quocumque recto ponantur per vadium et
per plegium, quod sint coram Domino Rege die
quem eis ponet, et quod rectum facient, et adretia-
bunt ei et hominibus suis quod adretiare debuerint :
et quibus plegii defuerint custodiantur.

Et inquiratur si vicecomites, vel quicumque bai-
livi eorum, vel Domini Villarum, vel bailivi eorum,
aliquid reddiderint de hiis quæ acceperant, vel si
pacem aliquam cum hominibus fecerint postquam
audierunt adventum Domini Regis, pro disturbare,
ne inde ante Regem vel Justicias querimonia ve-
niret.

Et de amerciatis inquiratur, si aliquis relaxatus
fuerit pro præmio, vel amore, de hoc quod primo
fuit amerciatus ; et per quem hoc factum fuerit.
Et similiter inquiratur per omnes Episcopatus, quid
et quantum et qua de causa Archidiaconi vel Decani
injuste et sine judicio ceperint ; et hoc totum scriba-
tur. Et inquiratur qui debent Regi homagium, et
nondum fecerunt neque illi neque filio suo, et in-
brevientur.

The Preamble to this runs thus.

Rex autem, convocatis optimatibus suis, instituit
abbates et clericos, comites et milites, qui cir-
cuiarent terram, dans formam inscriptam, quomodo
eis esset agendum. In Cantiam, Suthreiam, et Mid-
delsexe, et Berkescire, et Oxenefordscire, et Bukinge-

BOOK III. hamscire, et Bedefordescire missi sunt Abbas Augustini Cantuariæ, Abbas de Chertescie, Comes de Clara, Wilhelmus de Abrancis, Manesier de Dammartin, Geroldus filius Radulfi, Gilebertus de Pinkeni, Willielmus filius Helt, Willielmus filius Nigelli, Willielmus filius Martini, Radulfus de Hospitali, Radulfus de Dene. Hi omnes simul supradictos comitatus circuierunt. In hunc modum per alios comitatus Angliæ inquisitores missi sunt. Et hæc inquirere debuerunt.

Postea capient sacramentum ab omnibus Baronibus, militibus, et liberis hominibus de Comitatu, et cæteris hominibus, et ab omnibus Civibus et Burgensibus, quod verum dicent de hoc quod ab eis inquiretur ex parte Domini Regis, et quod non celabunt veritatem neque pro alicujus amore, nec prece, nec pretio, nec timore, nec pro aliquâ promissione, nec pro ullâ re.

This refers to
vol. iv. p. 302.

Nº XVIII.

*Ex Epistolis S. Thomæ Cantuar. Edit. apud
Bruxell. MDCLXXXII. Epist. XL. lib. iv.*

*Thomas Cantuariensis Archiepiscopus Roberto Vigar-
nensi Episcopo.*

VIR illustis Robertus Comes Gloucestræ,
Pater vester, cum plures haberet filios, vos
ampliori præ cæteris affectu traditur dilexisse, eò
quod vos in senectute genuerit, et totum, prout
indoles pollicebatur, prudentiæ suæ et virtutum
fomitum, Dei coöperante gratiâ, transfudit in so-
bolem, quam utpotè pretiosissimam ab ineunte ætate
Domino consecravit. Intuemini quàm prudens,
quàm fidelis, quàm magnanimus, quàm constans
fuerit

fuerit ille, qui florentis, pugnacis, gratiosi, generosi BOOK III.
 Regis, et opulenti, ejusdemque Normannorum
 Ducis, et Boloniæ Comitis, vires aggressus op-
 pressit: et non modò Regno privatum, sed et cap-
 tivum, conjecit in vincula, adeoque fortunam in-
 dignantem, habitâ fidei et virtutis ratione, con-
 tempsit, ut pro reparandâ sacramenti religione nulla
 exhorruerit subire pericula; et tandem captus in-
 carcerari maluerit, quam soror ejus et Domina
 juris sui dispendium pateretur. Qui, licet invidiâ
 fortunæ captus fuerit, vinculatus tamen judicio
 sapientum tantus habitus est, ut liberationem ejus
 commutandam et emendam censuerint Rege et
 Regno. Contemplatio viri clarissimi vobis ad-
 jiciat animos; et cum, qui vos generosi sanguinis
 titulo illustravit, coætaneis et posteris repræsentate
 moribus et virtute. Huc accedit colendæ virtutis
 nobilior titulus, pontificalis apex, qui sicut episco-
 pale officium fideliter adimplentes ampliori gloriâ
 et honore coruscantes illustrat, sic timidos et ignavos
 abjectiori vilitate reddit inglorios. Sal enim in-
 fatuatum ad nihilum utile est, sed tantâ abjectione
 vilescit, ut nec stercorebus comparetur, quibus
 agrorum infœcunditas propulsatur. Nam, ut ait
 Martyr Cyprianus, *Episcopus si timidus est, ætium est
 de eo: ætium*, inquit, qui cùm ipsum timor mun-
 danus effœctum reddiderit, superest ut ad omnia
 salubriter agenda inutilis sit. Charitas ergo timo-
 rem hunc expellat, ut populi ducem expediat, quia
 deficientis timore ducis exhortatio nequaquàm mi-
 litum potest animos ad fortia roborare. Et qui-
 dem nutu divino credimus accidisse, ut vos, ad
 propulsandam matris vestræ, sanctæ scilicet Can-
 tuariensis ecclesiæ, injuriam, diebus his contigerit
 transfretare, quo præsentialiter resistere possitis eis,
 sicut nobis promissistis, qui eam gratis diutius afflix-
 erunt,

BOOK III. erunt, adhuc sine causâ quærun animam ejus, ut auferant eam.

Quod ut, Dei præeunte gratiâ, commodiùs facere valeatis, vos literis Domini Papæ, tanquàm armis bellicis, præmuniendos esse decrevimus, ut fratrum nostrorum corda possitis efficacius in Domino confirmare. Rogamus itaque et obsecramus in Domino Jesu Christo, et in virtute obedientiæ, et in periculo officii, honoris, et beneficii præcipimus, quatenùs literas Apostolicas, quas vobis mittimus, ostendatis venerabili fratri nostro Rogerio Eboracensi Archiepiscopo, et aliis fratribus et Coepiscopis nostris, et inhibeatis auctoritate Domini Papæ, ne præfatus Eboracensis filio Domini Regis consecrationis munus dare, aut coronam, si hoc ab eo petitum fuerit, præsumat imponere. Sub eâdem interminatione præcipimus, ut similiter hoc inhibeatis Episcopis Londoniensi et Saresberien si, et cæteris, si quis hoc ausus fuerit attentare. Hoc autem, Deo teste et judice, non in Domini Regis, aut filii sui, aut cujuscumque vel Ecclesiæ vel Personæ, ex conscientia nostrâ mandamus injuriam, sed ex necessitate, quâ cogimur Ecclesiæ Cantuariensis jura pro viribus conservare. Parati enim sumus, si Domino Regi placuerit, filium suum coronare pro debito officii nostri, et utique honorem debitum et reverentiam exhibere. Non vacillet in his implendis, frater charissime, fides vestra, quia fidelis est Deus, qui vos supra vires tentari non patietur.

Confidite ergo in ipso qui vicit mundum, et memineritis quoniam qui timet pruinam irruit super eum nix, et qui declinat arma ferrea frequenter incidit in arcum æneum. Degeneres animos timor arguet, et fortiter ausos juvabit gratia, gloria coronabit. Quidquid agant alii, nobis persuasum est, quòd constantiam vestram nullius turbinis impetùs franget, quod quæ de ore vestro processerunt,

et

et tam vestro quàm Episcopi Lexovenſis scripto BOOK III.
continentur, et sub utriusque charactere impressa sunt et expressa, non erunt irrita. Absit enim ut generosus sanguis sit animæ degenerantis habitaculum, ut per vos tituli patrum oblitterentur, ut quæcunque trepidatio mentis, aut ignavia operis, evincat Patris, qui vos omnibus liberis prætulit, errasse iudicium, et antiquæ charitatis excludat affectum. Nam, ut piè creditur à fidelibus, ille feliciter in Deo, quam in liberis vivit, et studiosis operibus aut reprobis gratiam ejus promereri potestis aut demereri.

Nº XIX.

This refers to
vol. iv. p. 304.

Epist. xi. l. 5.

Thoma Cantuariensi Archiepiscopo quidam Amicus.

REX primâ Dominicâ die Londoniis debet esse, eoque Archiepiscopum Eboracensem, omnesque Angliæ Episcopos et Barones, ad diem illam, ex omnibus terræ partibus convocavit. Sane eâ die coronabit filium Regis Eboracensis, uxore ejus, filiâ scilicet Regis Francorum, apud Cadomum derelictâ, et quasi repudiâtâ, in contumeliam Patris et contemptum. Coronabitur certè puer ille quem diximus, nisi Dominus mare clauſerit navigare volenti, vel manus contraxerit Eboracensi, vel nisi Rex Francorum aliquo prohibitionis modo inhibuerit. Puer enim properat ad mare, et a patre expectatur in adverso littore. Et, de mandato Regis, Baiocensis et Sagienſis cum puero vadunt. Ricardus de Humet non ibit. Regina Cadomi morabitur, donec gaudii hujus certitudinem acceperit. Literæ ergo Domini Papæ super prohibitione consecrationis hujus diu est quod mare transierunt;

BOOK III. transierunt; sed inutiles prorsus effectæ in manu illius cui traditæ sunt perierunt, nec alicui ostensæ, nec ullatenus propalata. Quid igitur profunt quæ sic occultantur, per quas nec coronæ impositio nec personæ unctio cessabit? Certissimè enim sciatis hoc sine dilatione futurum. Etsi non auderet Eboracensis, manus cruentas apponeret *carnifex* Sagiensis. Hoc autem fit contra vos, ut nec diutius liceat etiam sperare de pace, cui non solum pax differtur, sed tota spes pacis et reconciliationis aufertur. Dixit enim nobis Richardus de Welcestre, qui pro accelerando transitu pueri venit, alterâ die, usque Cadomum, et statim reversus est cum illo; dixit, inquam, ille, quod pacem vestram omnibus modis differret, et si aliter non posset, non solum Domino Papæ, sed etiam ipsi Deo inobediens Rex usque ad mortem existeret, antequàm vobiscum pacem haberet. Nolite ergò sperare in iniquitate, nec Templariis illis credite, qui non ambulant in simplicitate, sed Regis potius, quam vestram voluntatem exequi cupientes, vobis nihil aliud quàm mendacia, de Rege et Patre mendacii, adferunt, ut decipiant. Quicquid enim Rex agit vobiscum dolus est et nequitia. Sed, ut pace vestrâ loquar, stultum decipit verbis inanibus, ut interim sibi magis provideat, et de tractu temporis contra vos majores insidias paret, et laqueos præparet fortiores. *Quid igitur facies, hominum miserrime, si tibi fuerit sub temporis brevitate substractum ad quod tantis temporibus suspirasti: si per alium Rex fuerit affectus qui non nisi per te regnare debuerat?* Immo quid facies, si inimicus tuus Regem tibi consecravat inimicum, ut contra te, in Patris auxilium, quantò junior, tantò fortior, manus insurgat? Verùm quid faciet Rex ipse Francorum, cujus ita filia contemnitur, cui regnum aufertur, cujus speranda posteritas condemnatur? Cur enim
ejus

ejus filius, qui adhuc ei fortassè nascetur, Regni gloriam consequeretur, si ipsa modò coronæ indigna judicatur? Forsitan non movebitur Rex ille nimidum justus, nec suum filiaque contemptum vindicabit, sed magis in suâ justitiâ peribit. Moderatè loquor in Christum Domini, sed tamen pro nihilo ei coronam Franciæ deferet qui coronam Angliæ tam facilè aufert. Unicum ergò et singulare ei et vobis remedium est, ut, sine omni dilatione, ad Reginam et ad Richardum de Humet nuncios mittat, qui ex suâ parte prohibeant ne fiat, et, si factum fuerit, ab utroque cum diffiduciâ separentur. Sic enim territi Richardus et Regina mittent ad Regem, et Regis impediatur voluntas. Nuncius enim Regis Francorum, vel vester, nullus posset ad Regem nostrum accedere. Et, si literas Domini Papæ deferret, mitteretur in carcerem; si Regis Franciæ, teneretur honestè, sed non procederet, donec negotium ad aures Regis perveniret. Currite ergò statim ad Regem, et advocate Senonensem, ut aliquod opponatur obstaculum huic operi, quod, in personæ Regis contemptum, et in causæ vestræ præjudicium, noscitur agitari. De cætero sciatis Thomam, novum Archidiaconum Bathonensem, nuper à Rege ad Archiepiscopum Rothomagensensem venisse, et à Nivernensi Episcopo transeundi inducias impetrasse usque ad sequentem Dominicam. Publicè enim Thomas ille clamavit, et multi alii quotidie clamant, Regem in proximo esse venturum: Quod penitus est falsissimum. Per Episcopatus ergò et Abbatias, et per domos Regias, usque ad montem S. Michaëlis formicino gradu Nivernensis incedit, et qui in terrâ suâ quindecim esset contentus, triginta sex equitaturas adducit. Dicitur ergò, quod magis sitit pecuniam Regis, quàm pacem Regni; magis lucrum suum, quàm commodum vestrum. Et res satis manifestis in-

BOOK III. diciis declaratur. Sextâ enim feriâ post octavum Pentecostes venit Cadomum, unde tunc filius Regis exierat, cum quo Nivernensis optimè, si vellet, transire potuisset. Sed dicitur ei Regem citò esse venturum, aut navem Regiam venturam propter ipsum. Et sic homo ille, mores gentis vestræ penitus ignorans, fallaciis capitur, nec in manu ejus verbum Domini prosperatur. Verùm, si astutias istas intelligeret, si concito gradu ad mare properaret, oporteret Archiepiscopum præire, et istum Regis responsum expectare. Et, si omninò vellet transire, navem quidem et instrumenta navis inveniret, sed gubernator nullus appareret. Singuli enim fugerent, vel se nihil scire dicerent, vel ventum penitus esse adversum jurarent. Stultus ergò fuit, si veniendi per vos voluntatem habuit, qui per Flandriam ire disposuit. Statim ergò literas Regis, et literas Senonensis, et nuncium vestrum, ad Nivernensem dirigite, ut cum omni celeritate Regiam Cadomi morantem conveniat, quatenus ei transitum paret. Quæ si noluerit ob manifestam impossibilitatem, idem Episcopus ad vos revertatur, facturus citius quod facturus est. *Nolite enim de cætero parcere, sed totum spiritum effundite, totum gladium evaginate, quoniam non respiciet vos oculus Regis usque in sempiternum.* Respiciat autem super vos et super oves pascuæ suæ oculis Pietatis Divinæ, et magis de principibus victoriæ gloriam, quàm principum pacem non veram, Ecclesiæ suæ conferre dignetur. Valete. Et, si adversitas increbuerit, nolite timere quia Dominus supponit manum suam.

N° XX.

BOOK III.

Ep. xlv. l. v. Alexandro Papæ Thomæ Cantuariensis Archiepiscopus.

This refers to
p. 316. and
p. 336. vol. iv.

Serenissimo Domino et Patri Charissimo, Alexandro Dei gratiâ summo Pontifici, Thomæ S. Cantuariensis Ecclesiæ minister humilis, salutem et omnem cum summa devotione obedientiam.

MISERATIONIS oculo respexit Deus Ecclesiam suam, et tandem tristitiam ejus in lætitiâ commutavit. Nec dubium, Pater, quin, si nobis vera dicentibus ab initio fuisset creditum, cornua retunderentur eorum, qui ventilabant, conterebant, et variis plagis vulnerabant Ecclesiam, ut, exterminatâ prorsus libertate ejus, et evacuatâ auctoritate Divinæ Legis, vigerent consuetudines *aut potius abusiones veterum tyrannorum*, Romanus Pontifex nesciretur in Angliâ, et sponsæ Christi privilegia sine reparationis spe deleterentur. Ecce enim ad novissimas literas vestras, quibus Dominò Regi Anglorum innotuit, quod ei ulteriùs non parceretis, sicut nec pepercistis Frederico dicto Imperatori, cum intellexisset terram ejus, amotis omnibus subterfugiis, interdicto subjiciendam esse, et Episcopos, si qui fortè non obedirent, suspendendos et excommunicandos, illicò nobiscum pacem fecit, ad honorem Dei, et maximam, ut speramus, Ecclesiæ utilitatem. Nam de consuetudinibus, quas tantâ pertinaciâ vindicare consueverat, nec mutire præsumpsit: Nullum à nobis vel aliquo nostrorum exegit juramentum. Possessiones, quas occasione dissensionis hujus ecclesiæ nostræ abstulerat, prout eas in charulâ expresseramus, nobis concessit: pacem, et securitatem, et redditum, omnibus nostris promisit,

et

BOOK III.

et osculum, si tamen vellemus cum eatenus perur-
geri: ut non modò in omnibus articulis victus appare-
ret, sed ut perjurus diceretur ab hiis, qui audierant ip-
sum jurasse, quòd non erat nos eà diè in osculo recep-
turus. Nos autem, habito plurium sapientium con-
 filio, et maximè Domini Senonensis, qui pacem
 nostram cæteris sollicitiùs et efficacius procurabat,
 cum ipso ad colloquium Regis accessimus quem,
 Deo faciente, qui omnes illos amoverat qui sancti-
 tatem vestram variis dolis circumvenire soliti sunt,
 adedò mutatum invenimus, ut, quod sine circum-
 stantium admiratione non contigit, animus ejus in
 nullo videretur à quietis consiliis abhorre-
 re. Nam, ut nos procul adventantes conspexit, à circumfusâ
 turbâ exiliens occurrit properus, et, capite detecto,
 nos in salutationis verba prorumpere gestientes salu-
 tatione prævenit, et habitis paucis sermonibus, solis
 nobis præsentibus cum Domino Senonensi, nos,
 illo divertente, stupentibus universis, traxit in par-
 tem, et diu tantâ familiaritate collocutus est, ut vi-
 deri posset, nunquàm inter nos aliquam fuisse dis-
 cordiam. Omnes ferè, quotquot adèrant, lætissi-
 mâ admiratione stupentes, plurimorum genis la-
 crymarum imbre madentibus, glorificabant Deum,
 et benedicebant beatam Magdalenam, in cujus
 solemnitate Rex conversus est à viis pristinis, ut
 toti terræ suæ lætitiâ reformaret, et ecclesiæ red-
 deret pacem. Corripuimus eum, adhibitâ modera-
 tione quam oportuerat adhiberi, vias quibus ince-
 serat, et pericula quæ undique imminebant, paten-
 ter ostendimus. Rogavimus et monuimus ut re-
 diret ad cor, ut dignos fructus poenitentiae faciens,
 et Ecclesiæ, quam non mediocriter læserat, mani-
 festâ boni compensatione satisfaciens, purgaret con-
 scientiam, et redimeret famam: Nam ab iniquis
 consiliariis potiùs, quàm à propriæ voluntatis in-
 stinctu, grave utriusque dispendium patiebatur.

Cùm

Cùm autem hæc omnia, non modò patienter, sed et BOOK III.
benignè, audiret, et emendationem promitteret, ad-
jecimus sibi necessarium esse ad salutem, et liberis
suis ad incolumitatem et indemnitatem concessæ
divinitus potestatis, ut in eo Sanctæ Cantuariensi
Ecclesiæ, Matri suæ, diligentius satisfaceret, in quo
eam nuper gravissimè læserat: Nam filium suum,
contra jus antiquissimum Ecclesiæ nostræ, fecerat
enormiter coronari, usurpatione Archiepiscopi Ebo-
racensis, qui contra vetustissimam consuetudinem,
et post prohibitionem vestram, et etiam in alienâ
provincia, consecrationem hanc exequi cæcâ nimis
et temerariâ ambitione præsumpsit. In quo ille
paululum reluctans, protestatus tamen ante, se nihil
proponere vel propositurum esse animo contendendi,
Quis, inquit, coronavit Regem Wilhelmum, qui
sibi Angliam subjugavit, et Reges succedentes?
Nonne Eboracensis, aut alius Episcopus, prout illi
placebat qui coronandus erat in Regem? Ad quæ
nos, quod ex celebri gentis nostræ claret historiâ,
respondemus, quod, eo tempore quo Anglia capta
est a Normannis, Cantuariensis Ecclesia proprium
non habebat Antistitem, sed quasi captiva tenebatur
à quodam Stigando, qui illam, sicut et Vintonien-
sem, et Londoniensem, et Vigornensem, et Elien-
sem Ecclesiam, publicæ potestatis et amicorum
viribus, contra inhibitionem Romani Pontificis,
occupaverat, Apostolicæ sedis communione carens
et gratiâ. Unde, et de mandato ejus à præfato
Rege captus in carcere diem obiit. Quâ necessi-
tate tunc, quod nec ante, nec post, lectum est vel
auditum, Archiepiscopus Eboracensis, qui clarioris
erat opinionis, illi Regi coronam imposuit. Lan-
francus verò filium ejus, Regem Wilhelmum,
cognomento et colore Rufum, consecravit in Regem,
præfente Thomâ Eboracensi Archiepiscopo, nec
in eo sibi officio aliquid vendicante. Post cujus
obitum,

BOOK III. obitum, cùm sanctus Anselmus Cantuariensis Archiepiscopus exularet, ex eâdem causâ, quâ et nos, unus suffraganeorum Cantuariensis Ecclesiæ, S. Girardus Herefordensis, vice Archiepiscopi sui tunc absentis, Regem Henricum, non contradicente Archiepiscopo Eboracensi, consecravit. Revertente autem ab exilio Beato Anselmo, accessit ad eum Rex Henricus, tradens ei diadema, et rogans ut eum coronaret, nec imputaret illi quòd ipsum, necessitate Regni præpediente, non expectaverat. Fatebatur enim coram omnibus hanc esse Cantuariensis Ecclesiæ dignitatem, ut Anglorum Reges inungat et consecret. Et hac quidem satisfactione placatus Sanctus Archiepiscopus approbavit quod à suffraganeo suo factum fuerat, et Regi Coronam imposuit. Quarè ergo tunc siluit Eboracensis Archiepiscopus, et sibi Cantuariensis Ecclesiæ suffraganeum præferri sustinuit? Nunquid Thomas Senior, qui Eboracensem regebat Ecclesiam, et Lanfranco Cantuariensi, de literis et amicorum copiâ intumescens, multos labores texuit, et Ecclesiam suam ampliavit in plurimis, hæc obmutuisset, pauperi cedens Episcopo, nisi sibi de Archiepiscopi Cantuariensis Primatu et Dignitate constaret? Deinde, post triginta et sex annos, Regem Stephanum, prædecessorem vestrum, à decessore nostro Wilhelmo fuisse consecratum, præsentè Thurstano Eboracensi Archiepiscopo, nec se immiscente negotio, aut contradicente, certo certius est. Quo post novem et decem annos in fata collapsò, bonæ memoriæ Theobaldus Cantuariensis Archiepiscopus, qui, pro vestrà promotione, cum suis omnibus, labores innumeros, damna irreparabilia, et pericula plurima, memoratu et relatu horrenda, sustinuit, et Regnum, quòd in aliam familiam jam transierat, Avi vestri liberis restituit, vos inunxit et coronavit in Regem, præsentè isto Eboracensi Rogerio qui
nunc

nunc est, ut scitis, nec coöperante nec contradicente, nec aliquid agente, nisi eo modo quo minimus Episcoporum, sacris indutus vestibus, audiens intererat solemnitati. Cùm ergo tantâ facilitate animi, aut potius consiliariorum vestrorum pravitae, matrem vestram, Cantuariensem Ecclesiam, sine causæ cognitione, jure antiquo spoliastis, quod plusquàm octuaginta annis inconcussè possedisse dignoscitur, nunquid perpetuare voluistis inimicitias inter Ecclesiam et Liberos vestros? Aut, si tantum præsumptionis Eboracensi Archiepiscopo fuerat indulgendum, ut novo Regi munus consecrationis impenderet, cur provinciam suam excedens invasit nostram? cur tam ipsum, quàm suffraganeos nostros, in crimen inobedientiæ impulistis? Receperant enim inhibitionem Domini Papæ, ne hoc in absentia nostrâ aliquo modo præsumerent. Denique, si substitutionem filii et consecrationem properabatis impleri, cur eos, quos ab ore Summi Pontificis nominatim, et à nobis, excommunicatos esse constabat, à tanti sacramenti solemnitate non curastis excludere? Nunquid consecratio sine participio execrationis non videbatur implenda? His, et pluribus aliis ad hunc articulum pertinentibus, quæ temporis brevitatis non admittit, diligenter et modestè propositis, rogavimus attentius, ut hujus læsionis nostræ jacturam, pro amore Dei, et salute sua, et liberorum indemnitate, repararet, et tantæ præsumptionis emendaret excessum. Ille verò se de mandato vestro, quod pridem obtinuerat, adversus hanc petitionem nostram tutum esse respondit, et super hoc literas prorulit, quibus constitit Episcopis celebraturis hoc munus sibi indultum esse, ut filium suum faceret à quocunque vellet Episcopo coronari. Ad quod ei respondentes supplicavimus, ut reduceret ad animum quando et quare literas impetrasset, quibus suum et Episcoporum defendere nitebatur excessum.

BOOK III. Constabat enim eas, quando Cantuariensis Ecclesia vacabat, eo proposito fuisse impetratas, ne Eboracensis Archiepiscopus, si præfatam Cantuariensem Ecclesiam diutius vacare contingeret, ad innovandi Regis coronationem præ cæteris provinciæ nostræ Episcopis auderet aspirare. Et ut, Domine mi Rex, hæc fidelius et familiarius recollatis, nonne tunc palam solebatis asserere, quod filium vestrum malletis decollari, quàm ut sæpè dictus Eboracensis capiti ejus hæreticas manus imponeret? Certum verò est quòd priori mandato per posterius derogatur. Esso ergo quod tunc tales literas impetaveritis, nostræ verò, quia posteriores sunt, illis debuerant derogasse: unde constat vobis, et alijs sapientibus, cujus momenti habendum sit quod contra jus usurpatum est, præsertim cùm Regis consecratio, sicut et alia sacramenta, de jure causam habeat, et totam substantiam nanciscatur. Neque hæc dicta videantur, quòd degradari velimus filium vestrum, aut in aliquo minorari; quia successus ejus et ampliationem gloriæ exoptamus, et ad eam laborabimus modis omnibus in Domino; sed ut indignationem Dei, et sanctorum qui in Cantuariensi Ecclesia requiescunt, et graviter injuriati sunt, à vobis et ab illo pariter arceatis. Quod fieri posse non credimus, nisi per condignam satisfactionem; quia à sæculis inauditum est, quòd aliquis Cantuariensem Ecclesiam læserit, et non sit correctus aut contritus à Christo Domino. Subintulit ergo Rex, vultu hilari et voce jucundâ: *Si filium meum diligitis, duplici jure facitis quod debetis. Nam et ego vobis illum dedi in filium, cumque, ut meminisse potestis, recepistis de manu mea. Et ipse vos tantâ affectione diligit, ut aliquem inimicorum vestrorum relictò lumine nequeat intueri. Eos enim jam continuisset, nisi obstisset reverentia et timor nominis mei. Sed scio quòd vos gravius de eis, etiam quam oporteat, ulciscetur,*
quam

quam cſid tempus et occaſionem acceperit. Nec dubito quin Eccleſia Cantuarienſis nobiliſſima ſit inter omnes Eccleſias Occidentis; nec eam jure ſuo privare volo, quin potius, juxta conſilium veſtrum, dabo operam, ut et in hoc articalo relevetur, et priſtinam in omnibus recuperet dignitatem. Illis autem, qui me et vos haſtenus prodiderunt, Deo propitio, ſic respondebo, ut exigant merita proditorum. Cùm ergo equo deſiliens me humiliarem ad pedes ejus, arrepto ſcanſili me coëgit aſcendere, et viſus illachrymari ait: Quid multa? Domine Archiepiſcope, reſtituamus nobis invicem veteres affectiones, et alter alteri, quod potuerit, bonum exhibeat, et præcedentis odii prorſus ſimus immemores. Sed mihi, quæſo, coram his qui procul adſpiciunt, honorem exhibeatis. Et tranſiens ad illos, quia paucos ibi, quos lator præſentium indicabit, videbat amatores diſcordiæ, et odii incentores, ait, ut tam illorum quam omnium, nequid male dicerent, ora præcluderet: Si ego, cum Archiepiſcopum ad omne bonum paratum inveniam, ei viciffim bonus non fuero, tunc ero nequior cæteris hominibus, et mala, quæ de me dicuntur, vera eſſe probabo. Nec aliud conſilium honeſtius aut utilius crediderim, quàm ut ipſum ſtudeam benignitate præcedere, et tam charitate quàm beneficiis ſuperare. Sermonem Regis cum ſumma gratulatione ferè quotquot aderant, exceperunt. Miſit ergo ad nos Epifcopos ſuos, qui monerent ut petitionem noſtram coram omnibus faceremus. Et, ſi quorundam ex ipſis conſilio credidiſſemus, in arbitrium ejus contuliſſemus proriſus et nos et totam cauſam Eccleſiæ. Nam ab initio uſque nunc à Scribis et Phariſæis ſuis egreſſa eſt iniquitas, et de authoritate ſeniorum invaluit, qui debuerant regere Populum. Sed benedictus Deus, qui non permisit, ut in conſilium illorum tranſiret anima noſtra, et Eccleſiæ libertatem aut juſtitiam Dei exponeremus cujuſcunque hominis voluntati. Illis autem dimiſſis,

BOOK III. *habita deliberatione cum Domino Senonensi et Christi pauperibus, sociis peregrinationis et pro-
scriptionis nostræ, in eo firmavimus propositum, ut quæstionem consuetudinum, nec damnorum quæ Ecclesiæ nostræ intulerat, nec usurpatæ consecrationis querelam, nec Ecclesiasticæ libertatis aut honoris nostri dispendium, aliquo modo conferremus in arbitrium ejus. Et sic accedentes ad Regem et suos, cum omni humilitate rogavimus per os Domini Senonensis, qui verbi nostri bajulus erat, ut nobis gratiam suam restitueret, pacem et securitatem, tam nobis quàm nostris, Cantuariensem Ecclesiam et possessiones ejus, quas exceptas in chartulâ legerat; et ut misericorditer emendaret, quod contra nos et Ecclesiam nostram fuerat in filii sui coronatione præsumptum; promittentes ei amorem et honorem, et quicquid obsequii Regi et Principi potest ab Archiepiscopo exhiberi in Domino. Ille verbum acceptans annuit, et nos et nostros qui aderant recepit in gratiam suam. Et quia non præceperatis, ut ipse nobis et nostris ablata restituerit, neque à nobis poterat impetrari aut poterit, Deo authore, ut ea remittamus, juxta mandatum vestrum repetitio eorum dilata est, non sublata. Nam si præcepissetis eo vigore, quem in novissimis expressistis, ut restituerentur, haud dubium quin satisfecisset, et posteris dedisset exemplum, toti Ecclesiæ Dei, et maximè Apostolicæ sedî, perpetuò profuturum. Tandem itaque nobiscum multa et diu conferens, cùm nos duo soli ferè usque ad vesperam collocuti essemus, secundùm morem familiaritatis antiquæ, in hoc convenimus, ut, eo discedente, rediremus gratias acturi Christianissimo Regi, et aliis Benefactoribus nostris, reversuri ad ipsum rebus compositis, et aliquamdiu moraturi circa eum, antequàm redeamus in Angliam, ut omnibus innotescat, in quantam familiaritatem et gratiam*

gratiam nos receperit. Expectabimus autem in BOOK III.
 Franciâ donec redeant nuncii nostri, quos ad recipiendas possessiones nostras destinavimus; quia non est in animo nostro ut redeamus ad ipsum, quamdiu de terrâ Ecclesiæ passum pedis abstulerit. Nam in restitutione possessionum facile adverteremus, quâ sinceritate agatur nobiscum. Nec tamen veremur, quin impleat quod promisit, nisi eum præpediant consiliarii, quos de pravitæ conscientiæ stimulus quiescere non permittit. Hi siquidem ne comprehendantur in operibus manuum suarum, errores suos impunitate donari moliantur, auctoritate et consortio Regiæ Majestatis. Hi nos in sortem Balaamitarum conantur impellere, ut, vivificantes animas quæ non vivunt, criminosos in scelere deprehensos absolvamus sine pœnitentiâ et confessione erroris; quam utique potestatem Deus nec alii indulgit, nec retinuit sibi. Nisi adquireverimus, pacem et concordiam cum Domino Rege initam machinantur infringere. Sed, Deo authore, nec sic nos inducent, ut, sedem ponentes ex adverso Altissimi, gloriemur inaniter nos vivificare aut justificare quos ille non vivificat. Certum enim est quanticumque Pastoris sententiam jure veracissimo non tenere, si Divino judicio reprobatur. Nos tamen sub ipso discessu nostro, sive paci invidens, sive amicis et familiaribus prospicere volens, ad instantiam, sicut dicitur, Gaufredi Cantuariensis Archidiaconi, Exoniensis Episcopus, satis argutè et intanter, Rege, Episcopis, et Proceribus præsentibus, sollicitavit circa articulum istum, dicens oportere, ut quemadmodum Dominus Rex fideles nostros in gratiam receperat, ita nos omnes qui cum illo steterant in gratiam reciperemus. Cui respondimus, "hic, si placeret illi, distinctionem necessario admittendam. Nam in eis, quorum ad vocationem susceperat, erant homines diversæ con-

BOOK III.

ditionis, et alii nocentiores, alii minùs, alii in communione Ecclesiæ, alii excommunicati, contractu et participatione anathematis, aut sententiæ; alii in summi pontificis constitutionem inciderant, et sine autoritate ejus absolvi non possunt; alii ex variis causis à nobis vel ab aliis Pastoribus suis justo sunt anathemate condemnati. Proinde in personis et causis tam dissimilibus ratio juris et æquitatis vetat idem esse judicium. Nos autem ad omnes, quantum in nobis est, pacem et charitatem habentes, Domini Regis audito consilio, ad honorem Ecclesiæ Dei, suum, et nostrum, necnon et salutem eorum quibus reconciliatio quæritur, negotium Deo propitio moderabimur, ut si quis eorum, quod absit, pace caruerit, reconciliationis expers, hoc sibi, non nobis, debeat imputare." Cùm autem ad hæc præfatus Gaufridus Archidiaconus, adhuc excommunicatus, sicut inceptor discordiæ, ita et contemptor justæ sententiæ, tumidus responderet, Dominus Rex, ne suborientia hinc inde verba causas odii et sopitæ inimicitiae fomitem instaurarent, nos de turba extrahens, rogavit ne curaremus quæ dicerentur à talibus, et ut, pacato animo et tranquillo, et licentiam et benedictionem dantes, cum gratiâ Dei et suâ rediremus ad hospitium nostrum. Postea verò accepimus, quod venerabiles viri, Dominus Rothomagensis et Episcopus Nivernensis, quos inter eos et Dominum Regem jussueratis esse mediatores, et qui de pace nostra solliciti extiterunt, Episcopo Sagienti transeunti in Angliam dederunt in mandatis, ut excommunicatos nostros absolveret, sed incertum est, an ei formam quam illis dederatis præscripserint, aut, si præscripta est, an eam sit idem Episcopus secuturus. Verumtamen nec illis mandare licuit, nisi quatenùs potestatem à vobis acceperunt, nec ille aliquid egit, si fines, quos præscripleratis, excessit. Unde si placet, necesse est,

et, si aliter absoluti sunt, præcipiatis eos sententiâ, quâ tenebantur, arctari, donec secundum Ecclesiæ formam jurent, ut ante iusseratis, se vestro mandato parituros, et illis, qui taliter absolvi meruerint, in virtute obedientiæ injungatis, quatenus mandatum, quod eis ex parte vestrâ faciemus, inviolabiliter observent, vel ad vos infra terminum quem præfigetis accedant, ut audiant vestrum, subjectâ poenâ, nisi paruerint, ut in pristinam sententiam, sublato Appellationis obstaculo, reponantur. Neque hæc dicimus, Deo teste, vindictam expetentes, cum scriptum esse noverimus, *non queres ultionem, nec memor eris injuriæ civium tuorum*; sed ut Ecclesiæ correctionis exemplo possit per Dei gratiam imposterum roborari, et poena paucorum multos ædificet. Nam, ut Spiritus S. Author, *flagellato pestilente sapiens eruditur*. Nec vigere poterit Apostolicæ sedis autoritas, nisi percellantur et hi, qui Laicorum patrocinio abutentes, excommunicati aut prohibiti præsumpserunt Divina celebrare. Quid enim solus Episcopus, quantum libet Ecclesiæ Romanæ devotus, poterit, si ab obedientiâ ejus ad nutum potentum recesserint sacerdotes et clerus suus? Nihil enim est quod Ecclesiam magis debilitet, quàm quoddam Apostolica sedes talia, cum emergunt, facile præterit impunita. Hæc dicentes scimus nobis in his exequendis, si placuerit vobis, magnos, Deo tamen propitio vincibiles, imminere labores. Sed prælegimus arctam et angustam viam sequi, quæ ducit ad vitam, quàm latam et spatiosam, quæ per illecebras sæculi trahit ad inferos. De mandato vestro damnorum nostrorum ad præsens tacita est repetitio. Placeat Serenitati vestræ, qualiter vos hic procedere oporteat à Latore præsentium exaudire, et injuriam corrigere, quæ nobis et Ecclesiæ nostræ illata est in coronatione filii Regis, alio, contra morem antiquum et mandatum

L. 1 4

vestrum,

BOOK III. vestrum, invadente jus nostrum et provinciam nostram. Necessitas nos coëgit excedere modum scribendi, timor et reverentia de dicendis plura reprimere compulerunt, sed Apostolica Dignatio et Clementia Paternæ Mansuetudinis immoderationi, si placet, veniam dabit, et quæ dicenda fuerant, à Latore præsentium solitâ pietate exaudiat, et petitiones, quas per eum porrigimus, celerius jubeat adimpleri.

This refers to
vol. vi. p. 345.

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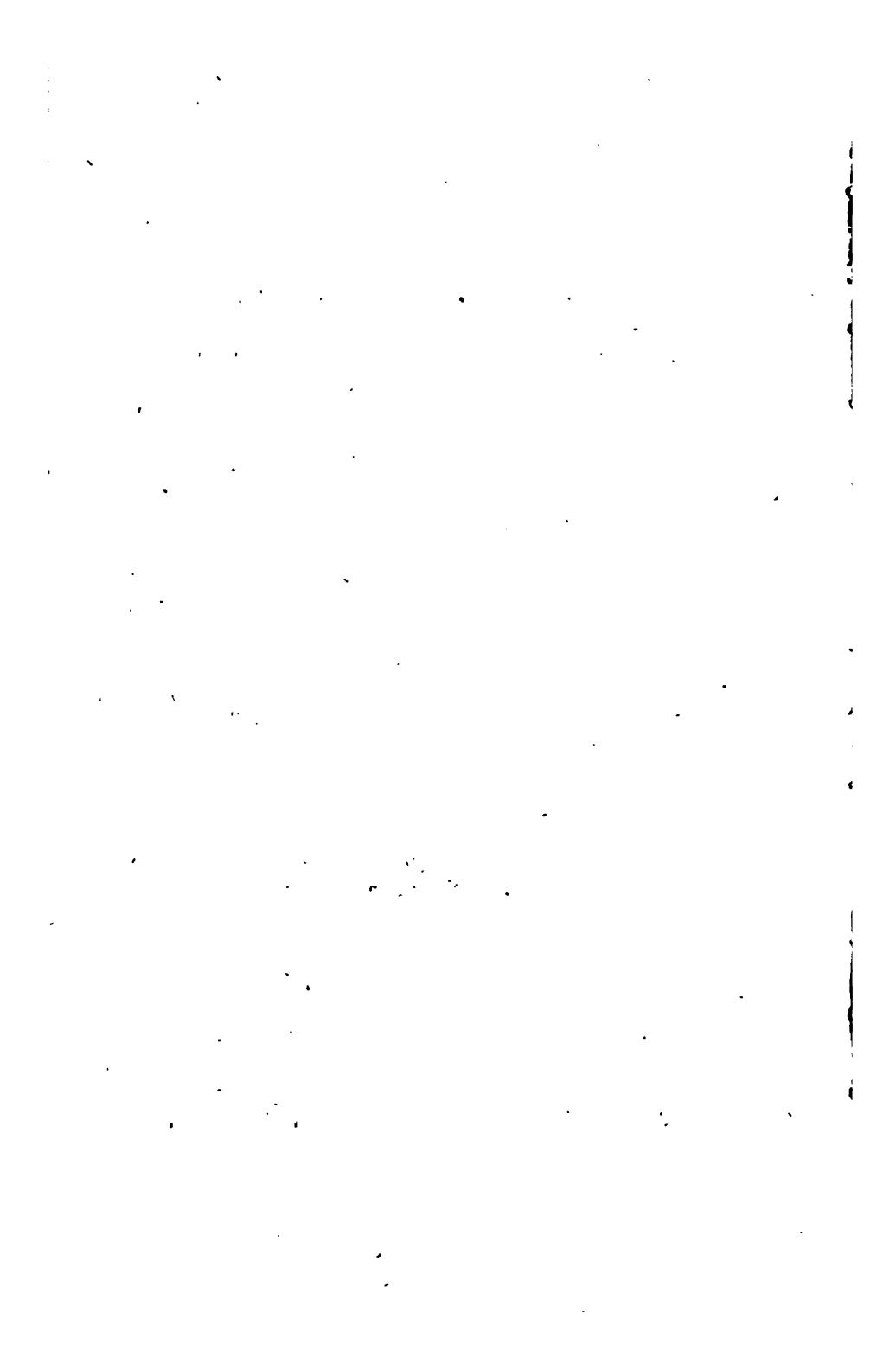
Ep. lxx. l. v. Thomas Cantuariensis Archiepiscopus Dilectæ Filiae suæ Idoneæ.

Thomas Dei gratiâ Cantuariensis Archiepiscopus, et sedis Apostolicæ Legatus, Dilectæ Filiae suæ Idoneæ salutem, et perseverantem in virtute Obedientiæ et Justitiæ zelo vigorem.

INFIRMA mundi elegit Deus, ut fortia debellaret, intumescentemque contra Deum audaciam Holofernis, viris deficientibus, Ducibus exanimatis, et sacerdotibus ferè deferentibus legem, feminæ virtus extinxit. Hester electa est, ut exulantis et condemnatæ Ecclesiæ salutem procuraret. Titubantibus Apostolis, fugientibus, et, quod magis est, in perfidiam lapsis, Dominum passioni addictum prosecutæ sunt mulieres; et, quod amplioris est fidei manifestum, etiam mortuo obsecutæ meruerunt Angelorum visu et alloquio confortari, et percipere Dominicæ Resurrectionis primitias, et, latentibus Apostolis et ferè desperatione submersis, redemptoris gloriam et Evangelii gratiam nunciare. Speramus autem te in illarum, Deo authore, transituram esse consortium, quarum Christi zelo successa apprehendis

prehendis exemplum. Quia spiritus charitatis, qui à corde tuo timorem expulit, per gratiam suam faciet, ut tibi, licet ardua videantur quæ necessitas Ecclesiæ fieri constantius et instantius exigit, non modò possibilia, sed facilia sint credenti. Hâc ergo de fervore, quem habes in Domino, spe conceptâ, tibi mandamus, et *in remissionem peccatorum injungimus*, quatenus literas Domini Papæ, quas tibi mittimus, Venerabili Fratri nostro Rogerio Eboracensi Archiepiscopo tradas, si fieri potest, præsentibus fratribus et Coepiscopis nostris; aut si eos præsentibus habere nequiveris, hoc ipsum facias in præsentia eorum quos adesse contigerit. Et, ne originale scriptum possit aliquâ tergiversatione supprimi, transcriptum ejus legendum circumstantibus tradas, et eis, prout plenius te nuncius instruet, mentem aperias literarum. Labori tuo, filia, præmium grande proponitur, remissio peccatorum, fructus immarcescibilis et corona gloriæ, quam tandem Beatæ peccatrices, Magdalena et Ægyptiaca, deletis totius anteaetæ vitæ maculis, a Christo Domino receperunt. Aderit tibi magistra misericordiæ, Filium, quem pro mundi salute edidit, Deum et hominem, rogatura, ut is sit dux, comes, et patronus itineris. Et qui inferni claustra dirumpens Dæmonum contrivit potestatem, licentiam coarctavit, ne tibi nocere valeant, manus cohibeat impiorum. Vale, sponsa Christi, et eum cogites semper esse præsentem *.

* N. B. Some faults in the printed Bruxelles edition of this, and some other preceding letters, have been corrected from the Cottonian and other Manuscript copies.



I N D E X

TO THE

FOUR FIRST VOLUMES,

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- Guader*, Radulph de, earl of Norfolk and Suffolk, his conspiracy against William I, i. 46. 57. 378.
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259; returns to Normandy, where he adjusts matters to his satisfaction, and conciliates the affection of the French King, 267; he has a son born, 270; hears of the death of Stephen, but will not hasten to England till he has first composed the affairs of Normandy, 279, 280; confers with his mother, happy agreement between them, *ibid.*—282; summons a council of the barons and prelates of Normandy, and confides to his mother the government of that dutchy, *ibid.* is detained a month at Barfleur by contrary winds, puts to sea in such weather that he is in danger of shipwreck; but escapes and lands in the New Forest, 282; welcomed as the deliverer of his country, 283; crowned together with his queen, *ibid.* his conduct with regard to his coronation oath, and the oaths to be taken to him; what measures he observed towards restoring the tranquillity of the realm, and union among his subjects *ibid.*; he meets his parliament, and in performance of the treaty of Winchester immediately sends away the foreign troops left by Stephen, 286; and demolishes the castles erected in the late reign, 288; prosecutes W. de Peverel for the murder of the earl of Chester; in pursuance of the above treaty, he resumes the crownlands and possessions which Stephen had alienated, 290; wherein he meets with great difficulties, but surmounts them by firmness and clemency, 295; he calls a parliament at Wallingford, which settles the succession on his eldest son, and, in case of the death of that prince, on his second, 298; confirms to his people the charter of king Henry I. 300; looks after the administration of the laws, and good order of the kingdom, 301, 302; makes a wise choice of his ministers, 303; an account of these, and of the reasons upon which he chose them, *ibid.*; excludes the bishop of Winchester from all power, and why, 313; orders all that prelate's castles to be demolished, on his leaving the realm without permission from him, 314; lets him return, but confines him to his episcopal duties, *ibid.*; does homage to Louis for his fiefs in France, *ibid.* 315; applies to the pope for a dispensation, to release him from his oath to observe his father's will with regard to the three earldoms of Anjou, Maine, and Touraine, which he obtains, 316,

317; his brother Geoffry rebelling on that account, he takes from him his castles, but leaves him an honorable maintenance in lands and money, 319; obliges the nobility of Gascony and Guienne to give him hostages, 323; is made regent of Flanders and Vermandois, 324; recovers the three northern counties from the king of Scotland, and makes that prince acknowledge himself his vassal for Lothian, but at the same time confers on him the earldom of Huntingdon, 325—328; strengthens the Flemish colony in South-Wales, by sending thither some of Stephen's mercenaries, whom he drove out of England, 380; makes war on the Welsh, 382; falls into an ambuscade, where his life is in danger, but repels the enemy, and changes the plan of the war, by means of which, and his kindness to Rhees ap Gryffyth, the prince of South-Wales, he gains an honorable peace, 386; appoints the lists for a duel between Henry de Essex, his constable, and Robert de Montfort, on a charge of high treason against the former, for his cowardly behaviour in the war against the Welsh; mitigates the doom of the vanquished, 389, 390; receives homage at Chester, from Malcolm the Third, king of Scotland, for the fiefs that prince held of England, but with a saving to all his royal dignities, *ibid.* 391; holds his court, not in the city, but suburbs of Lincoln, at the Christmas festival, out of regard to an antient superstition, *ibid.*; an instance of his contemning the superstitions of the Welsh, though he paid this regard to those of his English subjects, 392; he restores the coin of his kingdom to its due weight and fineness, 393; he goes over to Normandy, and supports his brother Geoffry in the dominion of Nantes against Conan, duke of Bretagne, *ibid.* 394; on the death of Geoffry, he succeeds to that dominion, 395; to prevent the king of France from disputing his claim to it, he proposes a treaty of marriage between his eldest son Henry, and Margaret, daughter of Louis, by his second wife, which Louis gladly accepts, 396, 397; he is invited to Paris by Louis, where he obtains from that prince an approbation of his title to Nantes, and a commission to judge and determine the dispute between Conan and Eudo, earl of Pontievre,

Pontieure, upon the right to the dukedom of Bretagne, 401; Conan makes him a cession of the city and earldom of Nantes, and he passes sentence in his favor, 402; soon afterwards he takes possession of Nantes, suppresses a revolt in Poitou, and returns into Normandy, to attend on Louis at Mont St. Michel; gains the favor of that king, by the respect he shews him on this occasion, which he makes an advantageous use of, for his greatness in France, 404; brings the earl of Blois to yield to him the strong castles of Freteval and Amboise, which had been usurped from Anjou, and the earl of Perche to restore two fortresses unjustly taken from his demesne in Normandy, consenting that the latter should hold the town of Belesme as his vassal, 405; recovers all that had been alienated, during the late civil war, from his demesne in Normandy, *ibid.*; promises Louis to be his confederate in a Holy war against the Moors in Spain, but trusts to pope Adrian for the preventing of that prince from executing this project, which was improper at that time, and avails himself of the levies made, under pretence of it, in all his French dominions, to revive and enforce the pretensions of his queen on Toulouse, 406—410; he forms confederacies for a war on this account, *ibid.* 411; he returns into England, to ask the assistance of the English, 412; holds a parliament, or great council, on the Easter festival, at Worcester, upon which occasion he and his queen wore their crowns (as was usual), but, when they came to the oblation, laid them down on the altar, and vowed to wear them no more, *ibid.*; finds the barons of England, and all his military tenants, ready to assist him in the war against the earl of Toulouse, *ibid.* 413; reasons for that complaisance, *ibid.*; he is attended to it by Malcolm, the young king of Scotland, 414; finding that Louis had thrown himself into the city of Toulouse with a resolution to defend it, he abstains from attacking it, against the opinion of his favorite Becket, 417, 418; reasons for this resolution, *ib.*—422; but he prosecutes the war with vigor and success in other places, *ibid.*; concludes a secret treaty with the earl of Evereux, which helps to bring on a truce, 423; he and Louis conclude a treaty of

peace on terms that are honorable and advantageous to Henry, particulars thereof, 425—428; see also 445; Henry consents, after the death of William de Blois, king Stephen's son, that his sister Mary, who was a nun, should be stolen out of her convent, and married to the second son of the earl of Flanders, by which marriage that prince gains the earldom of Boulogne, though this act is opposed by Becket as offensive to religion, 430—432; Henry makes a provision for Hamelin, his natural brother, by marrying him to the widow of W. de Blois, daughter and heiress to W. de Warren earl of Surry, 433; he concert's measures with Louis on the part they should take in the schism between the two popes, 434—444; he ratifies the peace with that king, but does not attend the celebration of his nuptials with a sister of the earl of Champagne, *ibid.*; 445; on his return into Normandy, he celebrates the form of a marriage, or public and solemn espousals, between his son Henry and the princess Margaret, by which he gains the Norman Vexin, with three castles on the frontier, 447; he is justified, by the clear words of the late treaty, from the charge of fraud in this matter, 448; he takes the castle of Chaumont, in the county of Blois, from the brother of the French queen, delivers it to one of his vassals who had a claim to it, and, expecting a war with Louis, strengthens his territories with additional fortifications, and repairs of the old ones, where wanting, 449; he also builds a palace in the neighbourhood of Rouen, and an hospital for lepers, 450; he does not seek to fight with Louis, when he finds that a battle is avoided by that monarch, who had made a faint attempt against his frontier, but consents to a truce, during which he suppresses a rebellion in Aquitaine, and takes Chatillon above Agen, 452; presides, together with Louis, at the council of Toulouse, 453; does a very important service to that monarch and pope Alexander the Third, by assisting them against the emperor, Frederick Barbarossa, iii. 11—14; he and Louis have a meeting at Touci, on the Loire, with that pontiff, whom they lead to a pavilion prepared for their reception, walking a foot on each side of his horse, and holding the reins of his
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bridle, *ibid.*; observations on that act, 15; through the mediation of Alexander, he obtains a peace from Louis, without giving up any thing to him, 16; he receives an extraordinary embassy from the Mahometan king of Valentia and Mercia, *ibid.* 17; upon Theobald's death, he advances Becket to the see of Canterbury, against the general sense of his clergy and of the whole nation, and though his mother Matilda did her utmost to dissuade him from it; his motives to this choice; violent means by which the opposition to Becket's election was got over, 18—29; Henry returns to England, and appeases a great commotion in South-Wales; after which he holds his court at Woodstock, where the king of Scotland, and all the princes and chiefs of Wales, pay their homage to him, and to his eldest son, *ibid.*—34; personal qualities of Henry, his private life and manners, 35—46; he undertakes to correct some great evils in the church, and to restrain its encroachments on the civil power, iv. 4; opposed herein by Becket, *ibid.*; is much alarmed at his sending back the great seal into Normandy, and ashamed of having been duped in the choice he had made, 7; comes to England on that account, and shews him marks of his displeasure; yet permits him and most of the other English bishops to go to the council held at Tours by pope Alexander the Third, *ibid.*—9; he takes occasion, from this prelate's having protected some clergymen guilty of capital crimes against the royal justice, to begin his intended reformation of the clergy, 14—16; his speech to the bishops on that subject, 17; further proceedings on this subject, 19; council of Clarendon, and transactions there, 22—32; Henry applies to the pope, to obtain a confirmation from the apostolick see of the customs and dignities of this realm, 36; a like request had been refused to him before, and this, though Becket seemingly concurred in desiring it, was also denied, 37, 38; another demand of the legatine power for the archbishop of York is made by Henry, and without success, *ibid.*; he is much disturbed at hearing that Becket had fled beyond the sea; but that prelate being driven back, and coming to his court, he treats him mildly, yet drops words that alarm him, 40; is admonished by his nobles

and counsellors to take care of himself and his successors against the attempts of the clergy, and particularly of Becket, to encroach on the royal power, 41; he cites Becket to appear before him, for denying to John his marshal, *ibid.*; on that prelate's refusal, he calls him to answer for this offence, and other matters, *ibid.*; demands of him five hundred pounds, which he said he had lent him when he was chancellor, 43; requires him to account for the rents of several vacant abbeys and bishopricks, and other casual profits belonging to the crown, which he had in his hands many years, *ibid.*; grants him a respite, which he prays for, before he makes his answer, 44; being informed of the manner of his coming into the chamber where he and the peers were assembled, carrying a cross in his hands, he retires into an inner room, and there complains of this behaviour, 49; he requires only that justice should be done him on the debt he claimed from that prelate, and sends some lords to demand of him, whether he would give pledges to stand to the judgement of the court on that article, or was prepared to do the king right, according to his promise; on his answer, it is resolved by Henry and the temporal barons to attain him of high treason; but Henry permits the bishops to appeal to the pope against him on account of his perjury, 50—52; while they declare this to him, Henry demands justice against him from the temporal lords, and calls in certain sheriffs, and some barons of inferior dignity, to assist in the judgement, *ibid.*; after his withdrawing himself from hearing that judgement, Henry, fearing some act of violence against him, orders proclamation to be made, forbidding all persons, on pain of death, to do him or his people any harm, 59; promises to advise with his council on his petition for a licence to go out of the realm, *ibid.*; observations on all the proceedings at Northampton, 58—62; on notice of his flight, Henry orders the ports to be guarded, and sends an embassy to the king of France, the pope, and the earl of Flanders, 63; this proving fruitless, he confiscates all the archbishop's estate, does other acts, which he was empowered to do by law, against him and his adherents, and stops the payment of Peter-pence to the

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diation of the Marquis of Montferrat, who asks one of his daughters in marriage for his son; reasons against his employing John of Oxford in this business, which yet the event so far justified, that great points were gained for him, from Alexander, by that minister, 141—143; what concessions or promises were made by him, and how far authorized by Henry, 144; to what his success must chiefly be ascribed; Henry obtains, by other ministers, John of Oxford's colleagues, the fight and possession of some very important letters, 146, 147; he had sought to gain time, in hopes of Alexander's death, or of some distress into which the emperor might bring that prince, 151, 152; a war breaks out between him and Louis, on a feudal dispute about Auvergne, 154; events of that war, which brings on an armistice, during which Henry suppresses a rebellion in Bretagne, 156; he receives an account of his mother's death, 157; his care to caution her against the arts of Becket in a mediation she undertook, between him and that prelate, at the urgent desire of the pope, 158—162; a spirited declaration made by him, about that time, in a letter to the college of cardinals, 165; he pays large sums, bequeathed by Matilda, to pious and charitable uses, 166; pacifies the earls of Boulogne and of Flanders, who threatened to invade England, by a subsidiary treaty concluded with the earl of Boulogne, 167—170; account of former treaties of the same nature, 171; Henry shews great indignation on reading the letters brought by the cardinal legates, 179; his discourse and offers to them, *ibid.*; he is desirous to fill up the vacant sees in his kingdom; presses the legates to hear his cause with Becket, and offers them any security, that he would stand to their judgement on every article, if they would do him justice, 190; at the end of this conference, he said publicly, *that he wished his eyes might never more see the face of a cardinal*; yet, at their audience of leave, he begged their intercession with the pope *to rid him of Becket*, and spoke with so much emotion that he even shed tears, 191; on receiving a letter from the pope, which suspended Becket's authority over him or his realm, till that prelate should recover his royal favor, he refused to

see him, which he had promised to do before, and, besides other boasting expressions, says to the bishop of Worcester, *that he had now got the pope and all the cardinals in his purse*; he even declares in his family what bribes he had given, and to whom of the sacred college, 195; his offer to cardinal Otto, concerning Becket and the royal customs, 201; observations upon it, 202; he suppresses a revolt in Aquitaine, and treats of a peace with Louis, 205, 206; he implores the bishop of Chartres to reconcile him to his liege-lord, the king of France, *with whom, and for whom, he was ready to go to a holy war against Egypt*, 209; the conclusion of the peace is retarded by several incidents, particularly by the murder of Henry's general in Aquitaine, the earl of Salisbury, and by a revolt in Bretagne, both which are punished by Henry, 210; Henry is accused to Louis, by Eudo, earl of Pontieure, of having debauched his daughter, whom he had delivered to him as an hostage of peace, 214; an interview is proposed between him and Louis, but he coming to it late, and with a multitude of armed knights, it gives an alarm to the French, and prevents the conference, 216; a description of the effects of the passion of anger upon Henry, approaching to frenzy, 220; he receives a splendid embassy from the emperor, to offer him assistance against Louis, if he will join in the schism; he returns an answer, which intimates that he might accept this offer, if Louis and Alexander should continue to act as for some time past, 221, 222; this accelerates the peace, which is soon afterwards concluded at Montmirail; articles thereof, 224, 225; observations thereupon, 226; declarations said to have been thrown out by Henry, and confirmed by oaths, that he would never again do homage to Louis for the duchy of Normandy; the truth of this very doubtful, 229; what passed between Henry and Becket at Montmirail, 230; his answer to the monks, who delivered him a letter of commination from the pope, 234; he vainly uses his utmost endeavours to prevail on the pope, that Becket, by orders from his Holiness, should be called out of France, and translated from Canterbury to some foreign see, 242; he requires Louis to expel Becket

out of France, 246; he compleats the establishment of his son Geoffry in Bretagne, and subdues some rebels in Gascony and Poitou; makes strong lines for the defence of one part of his frontier in the dutchy of Normandy, builds a castle at Beauvoir, and carries on other great works for the benefit of his people, particularly a dyke, or bank, to restrain the overflowings of the Loire, 250; he receives Gratian and Vivian, two nuncios from the pope, and angrily breaks off the two conferences with them, which renders them more complaisant, *ibid.* 251; but new disputes arise, which prevent an agreement, 254; the nuncios depart from Henry, but he recalls Vivian, 258; has a conference with Louis, in which he promises to treat, in an amicable manner, with the earl of Toulouse, on the claim of his son Richard, as duke of Aquitaine, to that earldom, and to send that prince to be educated in the court of France, 259; his answer to an artful petition from Becket, 261; and to another of the same kind, 262—264; dispute about the *kiss of peace*, 265; he sends over severe injunctions to England; remarks on the 6th and 7th articles, concerning the banishment of the *kindred* of offenders, and of *all who belonged to them*, 268; Henry proposes to crown his eldest son; nature and intent of such coronations; reasons for and against the practice, 274—280; it appears that the king had intended to do this act some years before; what prevented it then, and determined him to it now, 282; difficulty arising from the archbishop of Canterbury's being out of the kingdom, *ibid.*; how got over, 283; Henry makes a progress over all Bretagne with his son Geoffry, to receive the homages of the nobles and freemen of that dutchy, who had not paid it before; he proceeds judicially against the earl of Pontieu, 284; returns into Normandy, and makes a new offer to Becket for an engagement between them, *ibid.*; Henry does not enough attend to the insidious wording of the pope's bull about his son's coronation, 292; he is in great danger from a tempest in passing the channel, *ibid.*; having been absent almost four years, he finds that many disorders had arisen in his kingdom, particularly with regard to the collection of his revenues, and to all judicial proceedings,

ings, except those of his own court; in a parliament held at Windſor, he appoints a commiſſion of enquiry into theſe abuſes; obſervations thereupon, 293—296; effects of this commiſſion, *ibid.*; he cauſes his ſon to be crowned, and miniſters to him at the coronation-feaſt, 297; words he is ſaid to have ſpoken on that occaſion, 298; he goes to France, in order to pacify Louis, who reſents his daughter's not having been crowned with her huſband, 299; has an interview with that king, in which the peace between them is renewed; he is irreconcilably offended at Becket's malignant and arrogant proceeding about the *hiſs of peace*, 315; reaſons that induce him to promiſe to yield this point, *ibid.*; yet deſires ſome delay, *ibid.*; account of what paſſed in their meeting in a meadow near Frettevalle, 316—321; cenſure of Henry, for ſome things he ſaid to Becket on that occaſion, 322, 323; after the extraordinary marks of favor he had publickly given to Becket, he thinks he muſt not go back, and therefore grants his petition, though materially different from that form of words which he (Henry) had ſettled with the pope, 324; his condeſcenſions are ineffectual to ſoften Becket, 325; being very ſick in Normandy, he makes his will, 330; contents thereof, and remarks upon one clauſe therein, by which he deſigned to be buried in the monastery of Grammont, at the feet of an abbot there interred, 331; he delays the execution of the peace with Becket, 332; in a diſcourſe with that prelate, he reproaches him with ingratitude, and annexes a new condition to his promiſe of full reſtitution to him and his followers, 337; in another conference, he ſays to him, *Oh! my lord, why will you not do what I deſire? I then ſhould put every thing into your hands*, 338; on hearing the complaints of the archbiſhop of York, and the biſhops of London and Salisbury, againſt Becket, he expreſſes great reſentment, and in the violence of his paſſion throws out words which occaſion the murder of that prelate, 353; words falſely ſaid to have been ſpoken by him, iii. 310; an inſtance of his good-nature, *ibid.*; account of his pleaſantry with Becket, and cenſure of it, as carried too far in the ſight of the publick, 311; did not ground his title on conqueſt, 453; his proceedings with, and
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punishment of, those officers of his, who had oppressed his people, iv. 408; the articles of enquiry on that occasion, *ibid.*; his words, which occasioned Becket's death, otherwise related, 411; some promises at his reconciliation with him, probably misrepresented, *ibid.* 412; his charter, confirming the liberties of England, ii. 509; copy of the treaty between him and Louis of France, from an ancient manuscript in the British Museum never printed before, 514; his charter to the city of London, iii. 400; the articles he sent over to England, to prevent letters of interdict from being brought thither, iv. 473; injunctions of like import, three years after, *ibid.*

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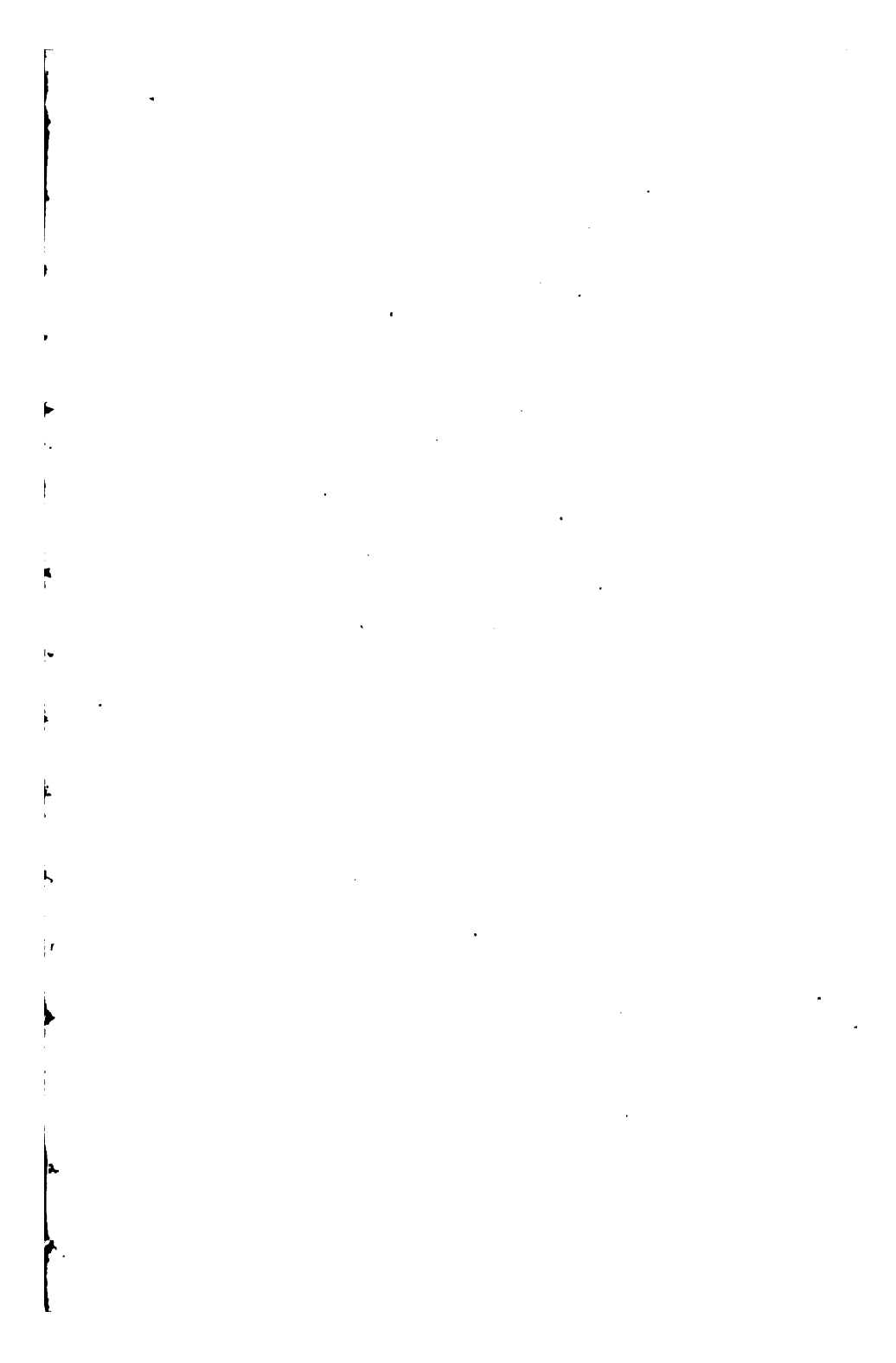
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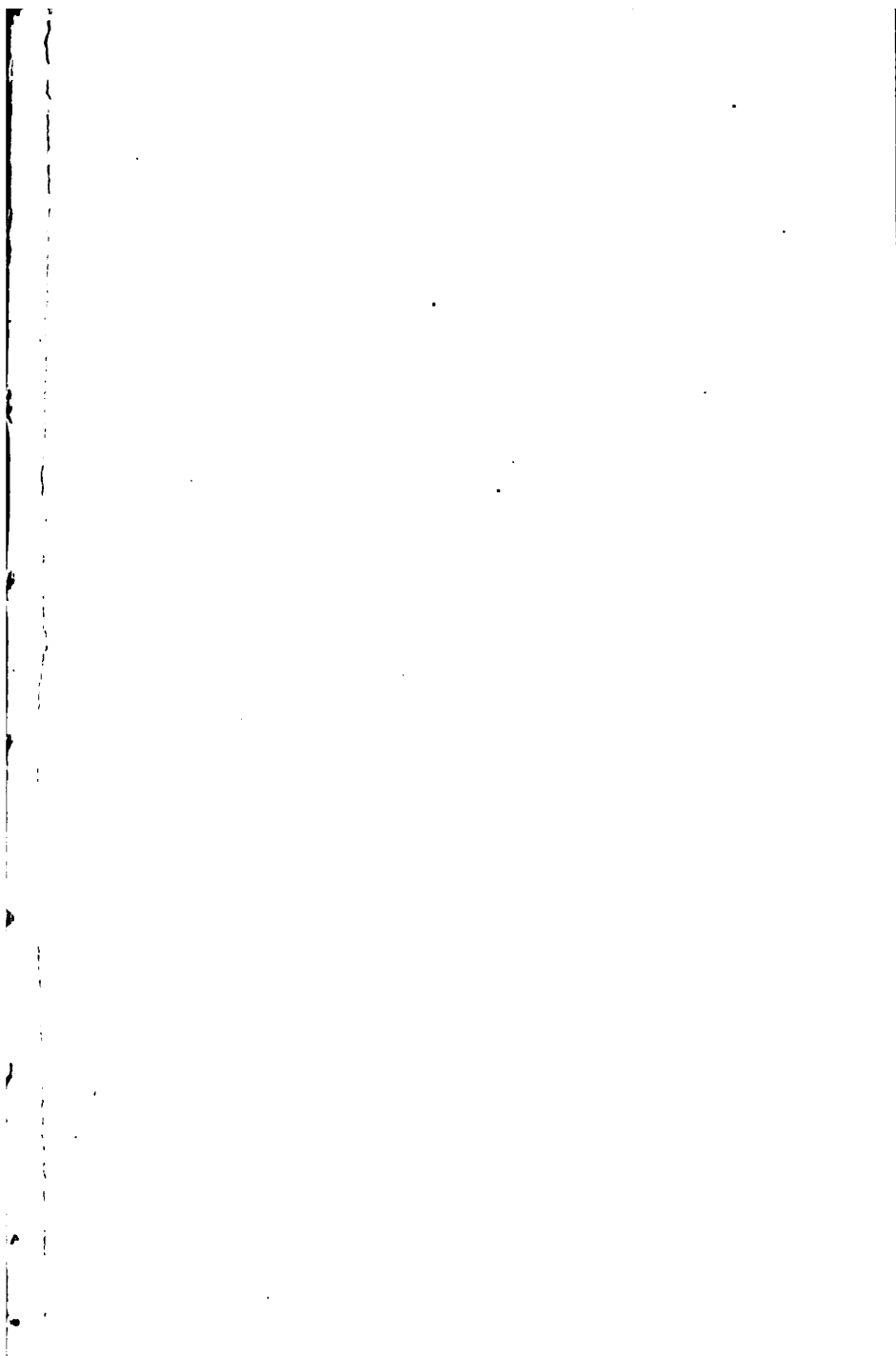
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